

May 7, 2004

The Premcor Refining Group, Inc.
2000 Wrangle Hill Road
Delaware City, DE 19706

ATTENTION: Michael Pollauf
Refinery Manager

Subject: Permit: AQM-003/00016 - Part 3 Draft

Dear Mr. Pollauf:

The Air Quality Management (AQM) Section of the Delaware Department of Natural Resources and Environmental Control has completed processing the Repowering Project and Delaware City Power Plant portion of the Delaware City Refinery's January 2, 1997, AQM-1001 series application and supplemental information that was submitted to the Department pursuant to Regulation No. 30 of the State of Delaware "**Regulations Governing the Control of Air Pollution**." The application indicated that the Delaware City Refinery presently owned by The Premcor Refining Group, Inc. (Premcor) and formerly owned by Motiva Enterprises, LLC is subject to Regulation No. 30 because the potential to emit a combination of hazardous air pollutants (HAPs), nitrogen oxides, and volatile organic compounds (VOCs) exceeds 25 tons per year (tpy); and the potential to emit sulfur dioxide, carbon monoxide, and particulate matter exceeds 100 tpy. The inherent complexity of this facility, coupled with the fact that most of the units are major sources by themselves, has necessitated this permit to be structured in several parts. Accordingly, the attached "Draft" Operating Permit - Part 3, satisfying the requirements of Regulation No. 30 covers the following units:

- Delaware City Power Plant comprised of four (4) boilers
- Gasification plant comprised of 2 gasifier trains
- Acid gas removal system, syngas flare and cooling tower
- Power block comprised of two (2) combined cycle units with duct burners and heat recovery steam generators

The "Draft" Operating Permit- Part 3 specifies the terms and conditions, conditions 2 through 6, under which Premcor will be permitted to operate the aforementioned emission units. The Department is also concurrently processing the Regulation No. 30 permits for the remaining units, i.e., the remaining units at the refinery not covered by the Part 1 permit issued on November 14, 2001. These units will be included in Part 2 of the permit. In addition to the emission units listed in Condition 1, Premcor will be permitted to operate all activities with air emissions that are not listed in Condition 1 and that are designated as insignificant activities under Regulation No. 30 or designated as trivial activities under Appendix "A" of the Department's summary of the July 10, 1995, EPA "White Paper for Streamlined Development of Part 70 Permit Applications," notwithstanding Regulation No. 2 of the State of Delaware "**Regulations Governing the Control of Air Pollution**."

The PremcorRefining Group, Inc.
Michael Pollauf, Refinery Manager
May 7, 2004

Condition 3(c)(2)(i) of the attached "Draft" Operating Permit-Part 3 requires Premcor to submit to the Department a report not later than the first day of February and August of each calendar year.

The attached "Draft" Operating Permit- Part 3 covers only the operating permit requirements of Regulation No. 2 and Regulation No. 30. The attached " Draft" Operating Permit- Part 3 does not satisfy future construction permit obligations. Prior to initiating any construction or modification activity Premcor must evaluate the applicability of, and, if required, secure necessary construction permit(s) pursuant to Regulation No. 2 or 25, and/or initiate necessary permit revision procedures pursuant to Regulation No. 2 and Regulation No. 30.

The Department will public notice this "Draft" Operating Permit- Part 3 as required by Section 7 (j) of Regulation No. 30 in the Delaware State News and the News Journal on Wednesday May 12, 2004. The public notice period will be no less than thirty (30) days in accordance with Regulation No. 30, Section 7(j)(2). The public comment period will end on June 11, 2004. Any comments should be brought to the Department's attention on or before June 11, 2004. We are also asking Premcor to concurrently submit a copy of any comments to MACTEC, the consultant assisting us in this permitting effort. The comments to MACTEC should be directed to the attention of either Mr. Douglas Toothman or Mr. Malay Jindal at the following address:

MACTEC Federal Programs, Inc.
560 Herndon Parkway
Suite 200
Herndon, VA 20170-5250

Their electronic mailing addresses are:

DAToothman@mactec.com
mjindal@mactec.com

Any questions concerning the attached permit may be directed to Ravi Rangan, P.E. at (302) 323-4542.

Sincerely,

Robert J. Taggart
Program Manager
Engineering & Compliance Branch

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pc: Dover File
 Title V File
 Ravi Rangan, P.E.
 Bruce Steltzer
 Malay Jindal

State of Delaware
Department of Natural Resources & Environmental Control
Division of Air & Waste Management
Air Quality Management Section
156 South State Street
Dover, DE 19901

Regulation No. 30 (Title V) Operating Permit
Facility I.D. Number: 1000300016
Permit Number: AQM-003/00016 - Part 3 Draft

Effective Date: _____

Expiration Date: November 13, 2008

Pursuant to 7 Del. C. Chapter 60, Section 6003 and the State of Delaware "Regulations Governing the Control of Air Pollution," Regulation No. 2, Section 2 and Regulation No. 30, Section 7(b), approval of the Department of Natural Resources and Environmental Control (Department) is hereby granted to operate the emission units listed in Condition 1 of this permit; subject to the terms and conditions of this permit.

This approval is granted to:

Permittee (hereafter referred to as "Company")	Plant Site Location (hereafter referred to as "Facility")
The Premcor Refining Group, Inc. Delaware City, Delaware 19706 Responsible Official: Mr. Michael Pollauf, Refinery Manager	The Premcor Refining Group, Inc. 2000 Wrangle Hill Road Delaware City, DE 19706

The nature of business of the Facility is Petroleum Refining. The Standard Industrial Classification code is 2911.

All terms and conditions of this permit are enforceable by the Department and by the U.S. Environmental Protection Agency (EPA), or if specifically designated as "State Enforceable Only," by the Department only.

[Reference Regulation No. 30 Section 6(b)(1), dated 12/11/2000]

Ravi Rangan, P.E.
Environmental Engineer
Engineering & Compliance Branch
(302) 323-4542

Date

Robert J. Taggart
Program Manager
Engineering & Compliance Branch
(302) 323-4542

Date

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Condition 1. Emission Units Identification. [Reference Regulation No. 30 Section 3(c)(1), dated 12/11/2000]

a. Emission Units Information.

Table 2: Emission Points, Units, and Identification of Applicable Regulations:

Designation	Emission Unit	Source Description
DCPP	80	Boiler #1 (618 mmBTU/hr input, natural gas and desulfurized refinery fuel gas fired)
	80	Boiler #2 (716 mmBTU/hr input, natural gas and desulfurized refinery fuel gas fired)

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Designation	Emission Unit	Source Description
	80	Boiler #3 (618 mmBTU/hr input, syngas, natural gas, and desulfurized refinery fuel gas fired)
	80	Boiler #4 (737 mmBTU/hr input, desulfurized refinery fuel gas fired)
Gas Plant	82	Texaco Gasifier 1 (235 ton/hr synthesis gas from both Gasifiers 1 and 2)
	82	Quench (gas cooler) for Gasifier 1
	82	Texaco Gasifier 2 (235 ton/hr synthesis gas from both Gasifiers 1 and 2)
	82	Quench (gas cooler) for Gasifier 2
Gas Plant	83	Amine Acid Gas Removal system
	83	Syngas Flare
	83	Three-Cell Linear Mechanical Draft Evaporative Cooler (gas flow of 3,000,000 ACFM, cooling water flow of 30,000 gallons per minute)
CCU	84	CCU1 & CCU2 - Each, one Gas Turbine (LHV input of 824.7 mmBTU/hr, HHV input of 878.4 mmBTU/hr, syngas or low sulfur diesel fuel fired)
	84	Duct Burner (215 mmBTU/hr, HHV of 215 mmBTU/hr, natural gas fired, one each, CCU1 & CCU2)
	84	Heat Recovery Steam Generator (one each, CCU1 & CCU2)
	84	Electric Generator (90 MW nominal, one each, CCU1 & CCU2)

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b. Regulation No. 2 Permit Identification¹

Reference Number	Full Regulation No. 2 Permit Designation
<u>APC-90/0288 (A4)</u>	<u>APC-90/0288-CONSTRUCTION (Amendment 4) (RACT) - Boiler No. 1</u> issued May 3, 2002. Boiler No. 1, Unit 80-1.
<u>APC-90/0289 (A5)</u>	<u>APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2</u> issued October 25, 2002. Boiler No. 2, Unit 80-2.
<u>APC-90/0290 (A4)</u>	<u>APC-90/0290-CONSTRUCTION (Amendment 4) (RACT) - Boiler No. 3</u> issued May 3, 2002. Boiler No. 3, Unit 80-3.
<u>APC-90/0291</u>	<u>APC-90/0291-OPERATION - Boiler #4</u> issued February 2, 1993. Boiler No. 4, Unit 80-4.
<u>APC-97/0504</u>	<u>APC-97/0504-OPERATION</u> issued August 6, 2003. Gasifiers #1 & #2, two gas coolers - Unit 82. Amine Acid gas removal system, syngas flare, 3 cell linear mechanical draft evaporative cooler - Unit 83.
<u>APC-97/0503</u>	<u>APC-97/0503-OPERATION (LAER)(NSPS)</u> issued August 6, 2003. Two combined cycle units, two duct burners, two heat recovery steam generators, two electric generators - Unit 84.

¹ Earlier versions of the power plant boiler permits that have not been superseded include:

APC-90/0288-CONSTRUCTION (Amendment 1) (NO_x RACT) dated March 10, 1995 for Boiler No. 1;

APC-90/0289-CONSTRUCTION (Amendment 1) (NO_x RACT) dated November 28, 1995 for Boiler No. 2;

APC-90/0290-CONSTRUCTION (Amendment 1) (NO_x RACT) dated September 15, 1995 for Boiler No. 3; and

APC-90/0288, 0289 and 0290 -OPERATION dated February 2, 1993 for Boilers 1, 2 and 3

However, there are no new or additional applicable requirements in these permits as compared to the most recent versions.

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Condition 2. General Requirements.

a. Certification.

1. Each document submitted to the Department/EPA pursuant to this permit shall be certified by a responsible official as to truth, accuracy, and completeness. Such certification shall be signed by a responsible official and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete." *[Reference Regulation No. 30 Section 5(f), dated 11/15/1993 and 6(c)(1), dated 12/11/2000]*
2. Any report of deviations required under Conditions 3(c)(2)(ii) or 3(c)(2)(iii) that must be submitted to the Department within ten (10) calendar days of the deviation, may be submitted in the first instance without a certification provided a certification meeting the requirements of Condition 2(a)(1) is submitted to the Department within ten (10) calendar days thereafter, together with any corrected or supplemental information required concerning the deviation. *[Reference Regulation No. 30 Section 6(a)(3)(iii)(D), dated 12/11/2000]*
3. Each document submitted to the Department/EPA pursuant to this permit shall be sent to the following addresses:

State of Delaware - DNREC Division of Air and Waste Management Air Quality Management Section 156 South State Street Dover, DE 19901 Attn: Program Administrator	Section Chief Air Enforcement Section (3AP13) United States Environmental Protection Agency Mail Drop 3AP10 1650 Arch Street Philadelphia, PA 19103
No. of copies: <u>2</u>	No. of copies: <u>1</u>

b. Compliance.

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1. The Company shall comply with all terms and conditions of this permit. Any noncompliance with this permit constitutes a violation of the applicable requirements under the Clean Air Act, and/or the State of Delaware "Regulations Governing the Control of Air Pollution," and is grounds for an enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal. *[Reference Regulation No. 30 Sections 6(a)(7)(i), dated 12/11/2000]*
2.
 - i. For applicable requirements with which the source is in compliance, the Company shall continue to comply with such requirements. *[Reference Regulation No. 30 Sections 5(d)(8)(iii)(A), dated 12/11/2000, and 6(c)(3), dated 12/11/2000]*
 - ii. For applicable requirements that will become effective during the term of this permit, the Company shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement. *[Reference Regulation No. 30 Sections 5(d)(8)(iii)(B), dated 12/11/2000, and 6(c)(3), dated 12/11/2000]*
3. Nothing in Condition 2(b)(1) of this permit shall be construed to preclude the Company from making changes consistent with Condition 2(m)(3) [Minor Permit Modifications] or Condition 4(a) [Operational Flexibility]. *[Reference Regulation No. 30 Sections 6(h), dated 12/11/2000, and 7(e)(1)(v), dated 12/11/2000]*
4. The fact that it would have been necessary to halt or reduce an activity in order to maintain compliance with the terms and conditions of this permit shall not constitute a defense for the Company in any enforcement action. Nothing in this permit shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in assessing penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations. *[Reference Regulation No. 30 Section 6(a)(7)(ii), dated 12/11/2000]*
5. The Company may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency or a malfunction if both the record keeping requirements in Condition 3(b)(2)(iii) and the reporting requirements in Condition 3(c)(2)(ii)(A) are satisfied. *[Reference Regulation No. 30 Section 6(g)(2), dated 12/11/2000]*

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6. In any enforcement proceeding, the Company seeking to establish the occurrence of an emergency or malfunction has the burden of proof. This provision is in addition to any emergency or malfunction provision contained in any applicable requirement. *[Reference Regulation No. 30 Section 6(g)(4), dated 12/11/2000 and 6(g)(5), dated 12/11/2000]*
7. The Company shall comply with the Ambient Air Quality Standards in accordance with the State of Delaware "**Regulations Governing the Control of Air Pollution.**" *[Reference Regulation No. 3, dated 3/29/88]*
8. If required, the schedule of compliance in Condition 5(a) of this permit is supplemental to and shall not sanction noncompliance with the applicable requirements upon which it is based. *[Reference Regulation No. 30 Section 5(d)(8)(iii)(C), dated 11/15/1993]*
9. Nothing in this permit shall be interpreted to preclude the use of any credible evidence to demonstrate noncompliance with any term of this permit. *[Reference 62 FR 8314, dated 2/24/97]*
- c. **Confidentiality.** The Company may make a claim of confidentiality for any information or records submitted to the Department. However, by submitting a permit application, the Company waives any right to confidentiality as to the contents of its permit, and the permit contents will not be entitled to protection under 7 Del. C., Chapter 60, Section 6014. *[Reference Regulation No. 30 Section 5(a)(4), dated 11/15/1993, 6(a)(3)(iii)(E), dated 12/11/2000, and 6(a)(7)(v), dated 12/11/2000]*
 1. Confidential information shall meet the requirements of 7 Del. C., Chapter 60, Section 6014, and 29 Del. C., Chapter 100. *[Reference Regulation No. 30 Section 5(a)(4), dated 11/15/1993]*
 2. If the Company submits information to the Department under a claim of confidentiality, the Company shall also submit a copy of such information directly to the EPA, if the Department requests that the Company do so. *[Reference Regulation No. 30 Section 5(a)(4), dated 11/15/1993]*
- d. **Construction, Installation, or Alteration.** The Company shall not initiate construction, installation, or alteration of any equipment or facility or air contaminant control device which will emit or prevent the emission of an air contaminant prior to submitting an application to the Department under Regulation No. 2, and, when applicable, Regulation No. 25, and receiving approval of such application from the Department; except as exempted in Regulation No. 2 Section 2.2 of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" *[Reference Regulation No. 2 Section 2.1, dated 6/1/97 and Regulation No. 30, Section 7(b)(3), dated 12/11/2000]*

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- e. **Definitions/Abbreviations.** Except as specifically provided for below, for the purposes of this permit, terms used herein shall have the same meaning accorded to them under the applicable requirements of the Clean Air Act and the State of Delaware **“Regulations Governing the Control of Air Pollution.”**
1. “Act” means the Clean Air Act, as amended by the Clean Air Act Amendments of November 15, 1990, 42 U.S.C. 7401 et seq. [Reference Regulation No. 30 Section 2, dated 12/11/2000]
 2. “AP-42” means the Compilation Of Air Pollutant Emission Factors, Fifth Edition, AP-42, dated January 1995, as amended with Supplements “A”, dated February 1996, and “B”, dated November 1996.
 3. “CFR” means Code of Federal Regulations.
 4. “Emergency” means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. [Reference Regulation No. 30 Section 6(g)(1), dated 12/11/2000]
 5. “Malfunction” means any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner, and that causes the source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the malfunction. A malfunction shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. [Reference Regulation No. 30 Section 6(g)(1), dated 12/11/2000]
 6. “Reg.” and “Regulation” mean State of Delaware **“Regulations Governing the Control of Air Pollution.”**
 7. **“Regulations Governing the Control of Air Pollution”** means the codification of those regulations enacted by the Delaware Department of Natural Resources and Environmental Control, in accordance with 7 Del. C., Chapter 60, Section 6010.
- f. **Duty to Supplement.**
1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the Company shall promptly submit to the Department such supplementary facts or corrected information. [Reference Regulation No. 30 Section 5(b), dated 11/15/1993]
 2. The Company shall promptly submit to the Department information as necessary to address any requirement(s) that become applicable to the source after the date it filed a complete application, but prior to release of a corresponding draft permit. [Reference Regulation No. 30 Section 5(b), dated 11/15/1993]
 3. The Company shall furnish to the Department, upon receipt of a written request and within a reasonable time specified by the Department:

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- i. Any information that the Department determines is reasonably necessary to evaluate or take final action on any permit application submitted in accordance with Condition 2(l) or 2(m) of this permit. The Company may request an extension to any deadline the Department may impose on the response for such information. *[Reference Regulation No. 30 Section 5(a)(2)(iii), dated 11/15/1993]*
 - ii. Any information that the Department requests to determine whether cause exists to modify, terminate or revoke this permit, or to determine compliance with the terms and conditions of this permit. *[Reference Regulation No. 30 Section 6(a)(7)(v), dated 12/11/2000]*
 - iii. Copies of any record(s) required to be kept by this permit. *[Reference Regulation No. 30 Section 6(a)(7)(v), dated 12/11/2000]*
- g. **Emission Trading.** No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit. *[Reference Regulation No. 30 Section 6(a)(9), dated 12/11/2000]*
- h. **Fees.** The Company shall pay fees to the Department consistent with the fee schedule established by the Delaware General Assembly. *[Reference Regulation No. 30 Section 6(a)(8), dated 12/11/2000 and Section 9, dated 12/11/2000]*
- i. **Inspection and Entry Requirements.** Upon presentation of identification, the Company shall allow authorized officials of the Department to perform the following:
 1. Enter upon the Company's premises where a source is located or an emissions-related activity is conducted, or where records that must be kept under the terms and conditions of this permit are located. *[Reference Regulation No. 30 Section 6(c)(2)(i), dated 12/11/2000]*
 2. Have access to and copy, at reasonable times, any record(s) that must be kept under the terms and conditions of this permit. *[Reference Regulation No. 30 Section 6(c)(2)(ii), dated 12/11/2000]*
 3. Inspect, at reasonable times and using reasonable safety practices, any facility, equipment (including monitoring and air pollution control equipment), practice, or operation regulated or required under this permit. *[Reference Regulation No. 30 Section 6(c)(2)(iii), dated 12/11/2000]*
 4. Sample or monitor, at reasonable times, any substance or parameter for the purpose of assuring compliance with this permit or any applicable requirement. *[Reference Regulation No. 30 Section 6(c)(2)(iv), dated 12/11/2000]*
- j. **Permit and Application Consultation.** The Company is encouraged to consult with Department personnel before submitting an application or, at any other time, concerning the operation, construction, expansion, or modification of any installation, or concerning the required pollution control devices or system, the efficiency of such devices or system, or the pollution problem related to the installation. *[Reference Regulation No. 30 Section 5(a)(1)(vii), dated 11/15/1993]*
- k. **Permit Availability.** The Company shall have available at the facility at all times a copy of this permit and shall provide a copy of this permit to the Department upon request. *[Regulation No. 2 Section 8.1, dated 6/1/97]*
- l. **Permit Renewal.** This permit expires on **November 13, 2008**, except as provided in Condition 2(l)(3) below. *[Reference Regulation No. 30 Section 6(a)(2), dated 12/11/2000]*
 1. Applications for permit renewal shall be subject to the same procedural requirements, including those for public participation, *affected state* comment, and EPA review, that apply to initial permit issuance under Regulation No. 30 Section 7(a), except that an application for

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permit renewal may address only those portions of the permit that the Department determines require revision, supplementing, or deletion, incorporating the remaining permit terms by reference from the previous permit. The Department may similarly, in issuing a draft renewal permit or proposed renewal permit, specify only those portions that will be revised, supplemented, or deleted, incorporating the remaining permit terms by reference. *[Reference Regulation No. 30 Section 7(c)(1), dated 12/11/2000]*

2. The Company's right to operate shall cease upon the expiration date unless a timely and complete renewal application has been submitted to the Department not earlier than eighteen (18) months nor later than twelve (12) months prior to the expiration date. *[Reference Regulation No. 30 Section 7(c)(2), dated 12/11/2000]*
3. If a timely and complete application for a permit renewal is submitted to the Department pursuant to Regulation No. 30, Section 5(a)(2)(iv), dated 12/11/2000, and Section 7(c)(1), dated 12/11/2000, and the Department, through no fault of the Company, fails to take final action to issue or deny the renewal permit before the end of the term of this permit, then this permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time. *[Reference Regulation No. 30 Section 7(c)(3), dated 12/11/2000]*

m. Permit Revision and Termination.

1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause. Except as provided under Condition 2(m)(3) [Minor Permit Modification], the filing of a request by the Company for a permit modification, revocation and reissuance, or termination, or of a modification of planned changes or anticipated noncompliance does not stay any term or condition of this permit. *[Reference Regulation No. 30 Section 6(a)(7)(iii), dated 12/11/2000 and 7(e)(1)(v), dated 12/11/2000]*
2. "Administrative Permit Amendment." When required, the Company shall submit to the Department a request for an administrative permit amendment in accordance with Regulation No. 30 Section 7(d) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" *[Reference Regulation No. 30 Section 7(d), dated 12/11/2000]*
3. "Minor Permit Modification." When required, the Company shall submit to the Department an application for a minor permit modification in accordance with Regulation No. 30 Section 7(e)(1) and 7(e)(2) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" *[Reference Regulation No. 30 Section 7(e)(1), dated 12/11/2000 and 7(e)(2), dated 12/11/2000]*
 - i. For a minor permit modification, during the period of time between the time the Company makes the change or changes proposed in the minor permit modification application and the time that the Department takes action on the application, the Company shall comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this period the Company, at its own risk, need not comply with the existing terms and conditions of this permit that it seeks to modify. *[Reference Regulation No. 30 Section 7(e)(1)(v), dated 12/11/2000 and 7(e)(2)(v), dated 12/11/2000]*
 - ii. If the Company fails to comply with its proposed permit terms and conditions during this time period, the existing terms and conditions of this permit may be enforced against the Company. *[Reference Regulation No. 30 Section 7(e)(1)(v), dated 12/11/2000 and 7(e)(2)(v), dated 12/11/2000]*
4. "Significant Permit Modification." When required, the Company shall submit to the Department an application for a significant permit modification in accordance with

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Regulation No. 30 Section 7(e)(3) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" [Reference Regulation No. 30 Section 7(e)(3), dated 12/11/2000]

5. i. When the Company is required to meet the requirements under section 112(g) of the *Act* or to obtain a preconstruction permit under the State of Delaware "**Regulations Governing the Control of Air Pollution.**" the Company shall file a complete application to revise this permit within twelve (12) months of commencing operation of the construction or modification. [Reference Regulation No. 30 Section 5(a)(1)(iv), dated 11/15/1993]
 - ii. When the Company is required to obtain a preconstruction permit, the Company may submit an application to revise this permit for concurrent processing. The revision request for this permit when submitted for concurrent processing shall be submitted to the Department with the Company's preconstruction review application or at such later time as the *Department* may allow. Where this permit would prohibit such construction or change in operation, the Company shall obtain a *permit revision* before commencing operation. [Reference Regulation No. 2 Sections 11.2(j), 11.5 and 12.4, dated 6/1/97, and Regulation No. 30 Section 5(a)(1)(iv), dated 11/15/1993]
 - iii. Where an application is not submitted for concurrent processing, the Company shall obtain an operating permit under the State of Delaware "**Regulations Governing the Control of Air Pollution.**" prior to commencing operation of the construction or modification to cover the period between the date operation is commenced and until such time as operation is approved under Regulation No. 30. [Reference Regulation No. 2 Section 2.1, dated 6/1/97]
6. "Permit Termination." The Company may at any time apply for termination of this permit in accordance with Regulation No. 30 Section 7(h)(4) or Section 7(h)(5) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" [Reference Regulation No. 30 Sections 7(h)(4), dated 12/11/2000 and 7(h)(5), dated 12/11/2000]

n. Permit Transfer.

1. A change in ownership or operational control of this facility shall be treated as an administrative permit amendment where the Department has determined that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new owner has been submitted to the Department. [Reference Regulation No. 30 Section 7(d)(1)(iv), dated 12/11/2000]
2. In addition to any written agreement submitted by the Company in accordance with Condition 2(n)(1), the Company shall have on file at the Department a statement meeting the requirements of 7 Del. C., Chapter 79, Section 7902. This permit condition is state enforceable only. [Reference 7 Del. C., Chapter 79, dated 7/20/92]
3. The written agreement required in Condition 2(n)(1) of this permit shall be provided to the Department within a minimum of thirty (30) calendar days prior to the specific date for transfer and shall indicate that the transfer is agreeable to both the current and new owner. [Reference Regulation No. 2 Section 7.1, dated 6/1/97]

o. Property Rights. This permit does not convey any property rights of any sort, or any exclusive privilege. [Reference Regulation No. 30 Section 6(a)(7)(iv), dated 12/11/2000]

p. Risk Management Plan Submissions.

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1. In the event this stationary source, as defined in the State of Delaware "**Accidental Release Prevention (ARP) Regulation**" Section 4, is subject to or becomes subject to Section 5 of the "**ARP Regulation**", dated January 11, 1999, the owner or operator shall submit a risk management plan (RMP) to the Environmental Protection Agency's RMP Reporting Center by the date specified in Section 5.10 and required revisions as specified in Section 5.190. A certification statement shall also be submitted as mandated by Section 5.185. *[Reference Regulation No. 30 Section 6(a)(4), dated 12/11/00, State of Delaware "**Accidental Release Prevention Regulation**", dated 1/11/99 and Delaware; Approval of Accidental Release Prevention Program, Federal Register/Vol. 6, No. 11 pages 30818-22, dated June 8, 2001]*
2. If this stationary source, as defined in State of Delaware "**ARP Regulation**" Section 4, is not subject to Section 5 but is subject or becomes subject to Section 6 of the "**ARP Regulation**" dated January 11, 1999, the owner or operator shall submit a Delaware RMP to the State of Delaware's Accidental Release Prevention group by the date specified in Section 6.10 and required revisions as specified by Section 6.60(j). *[Reference State of Delaware "**Accidental Release Prevention Regulation**", dated 1/11/99]*

q. Protection of Stratospheric Ozone.

When applicable, this Facility shall comply with the following requirements: *[Reference 40 CFR Part 82 "**Protection of Stratospheric Ozone**", revised as of 7/1/97]*

1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
 - i. All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a process that uses a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to § 82.106.
 - ii. The placement of the required warning statement must comply with the requirements pursuant to § 82.108.
 - iii. The form of the label bearing the required warning statement must comply with the requirements pursuant to § 82.110.
 - iv. No person may modify, remove, or interfere with the required warning statement except as described in § 82.112.
1. Any person servicing, maintaining, or repairing appliances, except for motor vehicles, shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVACs in Subpart B. In addition, Subpart F applies to refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment:
 - i. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to § 82.154 and § 82.156.
 - ii. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to § 82.158.
 - iii. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to § 82.161.

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- iv. Persons performing maintenance, service, repair, or disposal of appliances must certify with the Administrator pursuant to § 82.158 and § 82.162.
 - v. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record keeping requirements pursuant to § 82.166. ("MVAC-like appliance" as defined at § 82.152)
 - vi. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to § 82.156.
2. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82, Subpart F § 82.166.
2. If the permittee manufactures, transforms, destroys, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, Production and Consumption Controls.
3. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant. These systems are regulated under 40 CFR Part 82, Subpart F.

4. The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed as acceptable in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, Significant New Alternatives Policy Program.
- r. Severability. The provisions of this permit are severable. If any part of this permit is held invalid, the application of such part to other persons or circumstances and the remainder of this permit shall not be affected thereby and shall remain valid and in effect.

[Reference Regulation No. 30 Section 6(a)(6), dated 12/11/2000]

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Condition 3. Specific Requirements.

- a. **Emission Limitations/Standards and/or Operational Limitations/Standards.** The Company shall comply with the emission limitations/standards and operational limitations/standards detailed in Condition 3 - Table 1 of this permit. *[Reference Regulation No. 30 Section 6(a)(1), dated 12/11/2000]*
- b. **Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping).** The Company shall maintain, at a minimum, all of the information required under Conditions 3(b)(1) and 3(b)(2) of this permit for a minimum of five (5) years from such information's date of record. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(B), dated 12/11/2000]*
 1. i. **Specific Requirements.** The Company shall comply with the operational limitation(s), monitoring, testing, and record keeping requirement(s) detailed in Condition 3 - Table 1 which are in addition to those in Condition 3(b)(2). *[Reference Regulation No. 30 Section 6(a)(1), dated 12/11/2000, 6(a)(3)(i), dated 12/11/2000, and 6(a)(10), dated 12/11/2000]*
 - ii. **General Testing Requirements.** Upon written request of the Department, the Company shall, at the Company's expense, sample the emissions of, or fuel used by, an air contaminant emission source, maintain records and submit reports to the Department on the results of such sampling. *[Reference Regulation No. 17, Section 2.2, dated 7/17/84]*
2. **General Record Keeping Requirements.** The Company shall record, at a minimum, all of the following information.
 - i. If required, for each operating scenario identified in Condition 3 - Table 1 of this permit, a log that indicates the operating scenario under which each particular emission unit is operating. The Company shall, contemporaneously with changing from one operating scenario to another, record in this log the scenario under which it is operating. *[Reference Regulation No. 30 Section 6(a)(10), dated 12/11/2000]*
 - ii. The following information to the extent specified in Condition 3 - Table 1 of this permit. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A), dated 12/11/2000]*
 - A. The date, place, and time of the sampling or measurements. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(aa), dated 12/11/2000]*
 - B. The date(s) analyses were performed. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(bb), dated 12/11/2000]*
 - C. The company or entity that performed the analyses. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(cc), dated 12/11/2000]*
 - D. The analytical techniques or methods used. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(dd), dated 12/11/2000]*
 - E. The results of such analyses. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(ee), dated 12/11/2000]*
 - F. The operating conditions as existing at the time of sampling or measurement. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(ff), dated 12/11/2000]*
 - iii. If the Company is claiming the affirmative defense of emergency or malfunction as provided in Condition 2(b)(5); properly signed, contemporaneous operating log(s), or

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other relevant evidence which indicates that: *[Reference Regulation No. 30 Section 6(g)(3), dated 12/11/2000]*

- A. An emergency or malfunction occurred and the cause(s) of the emergency or malfunction. *[Reference Regulation No. 30 Section 6(g)(3)(i), dated 12/11/2000]*
 - B. The facility was at the time of the emergency or malfunction being operated in a prudent and professional manner and in compliance with generally accepted industry operations and maintenance procedures. *[Reference Regulation No. 30 Section 6(g)(3)(ii), dated 12/11/2000]*
 - C. During the period of the emergency or malfunction the Company took all reasonable steps to minimize levels of emissions that exceeded the emission standard(s), or other requirement(s) of this permit. *[Reference Regulation No. 30 Section 6(g)(3)(iii), dated 12/11/2000]*
- iv. A copy of the written notice required by Condition 3(c)(2)(iii) for each change made under Condition 4(c) [Operational Flexibility] of this permit shall be maintained with a copy of this permit. *[Reference Regulation No. 30 Section 6(h)(1), dated 12/11/2000]*

c. Reporting and Compliance Certification Requirements.

1. Specific Reporting/Certification Requirements. The Company shall comply with the Reporting/Certification Requirement(s) detailed in Condition 3 - Table 1 of this permit, which are in addition to those of Conditions 3(c)(2) and 3(c)(3). Each report that contains any deviation(s) from the terms of Condition 3 - Table 1 shall identify the probable cause of the deviation(s) and any corrective action(s) or preventative measure(s) taken. *[Reference Regulation No. 30 Sections 6(a)(3)(iii), dated 12/11/2000, 6(a)(3)(iii)(C)(cc), dated 12/11/2000, and 6(a)(3)(iii)(C)(dd), dated 12/11/2000]*
2. General Reporting Requirements.
 - i. The Company shall submit to the Department a report of any required monitoring not later than the first day of August (covering the period from January 1 through June 30) and the first day of February (covering the period July 1 through December 31) of each calendar year. Each report shall identify any deviation(s) from permit requirements since the previous report, any deviation(s) from the monitoring, record keeping and reporting requirements under this permit, and the probable cause of the deviation(s) and any corrective actions or preventative measures taken. If no deviation(s) has occurred such shall be stated in the report. *[Reference Regulation No. 30 Section 6(a)(3)(iii)(A), dated 12/11/2000 and (B), dated 12/11/2000, and Section 6(a)(3)(iii)(C)(dd), dated 12/11/2000]*
 - ii. In addition to the semiannual monitoring reports required under Condition 3(c)(2)(i), the Company shall submit to the Department supplemental written report(s)/notice(s) identifying all deviations from permit conditions, probable cause of the deviations, and any corrective actions or preventative measures as follows: *[Reference Regulation No. 30, Sections 6(a)(3)(iii)(C)(cc), dated 12/11/2000 and 6(a)(3)(iii)(C)(dd), dated 12/11/2000]*
 - A. If the Company is claiming the affirmative defense of emergency or malfunction as provided in Condition 2(b)(5) of this permit, a notice of any deviation resulting from emergency or malfunction conditions shall be reported to the Department within two (2) working days of the time when the technology-based emission limitations were exceeded. Such notice shall contain a description of the emergency or malfunction, any steps taken to mitigate emissions, and any corrective actions taken. *[Reference Regulation No. 30 Sections 6(a)(3)(iii)(C)(aa), dated 12/11/2000 and 6(g)(3)(iv), dated 12/11/2000]*

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- B. Emissions in excess of any permit condition or emissions which create a condition of air pollution shall be reported to the Department:
 - 1. Immediately upon discovery and after activating the appropriate site emergency plan to the Department's 24-hour complaint line or by facsimile (fax) if the emission poses an imminent and substantial danger to public health, safety, or the environment. *[Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(cc), dated 12/11/2000]*
 - 2. Immediately upon discovery to the Department's 24-hour complaint line (State Enforceable Only). *[Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(bb), dated 12/11/2000]*
 - 3. In a written report pursuant to Condition 3(c)(2)(i) and/or the specific reporting requirements listed in Condition 3 - Table 1. *[Reference Regulation No. 30 Sections 6(a)(3)(iii)(C)(cc), dated 12/11/2000 and 6(a)(3)(iii)(C)(dd), dated 12/11/2000]*
- C. Discharges to the atmosphere in excess of any quantity specified in the State of Delaware "**Reporting of a Discharge of a Pollutant or an Air Contaminant**" Regulation shall be reported, immediately upon discovery and after activating the appropriate site emergency plan, either in person or to the Department's 24-hour complaint line (1-800-662-8802). Discharges in compliance with this permit and excess emissions previously reported under Condition 3(c)(2)(ii)(B) of this permit are exempt from this reporting requirement. *[Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(ee), dated 12/11/2000 and 7 Del. C., Chapter 60, Section 6028]*
- iii. Prior to making a change as provided in Condition 4 [Operational Flexibility] of this permit the Company shall give written notice to the Department and the EPA at least seven (7) calendar days before the change is to be made. *[Reference Regulation No. 30 Section 6(h)(1), dated 12/11/2000]*
 - A. The seven (7) day period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. *[Reference Regulation No. 30 Section 6(h)(1), dated 12/11/2000]*
 - B. If less than seven (7) calendar days notice is provided because of a need to respond more quickly to such unanticipated conditions, the Company shall provide notice to the Department and to EPA as soon as possible after learning of the need to make the change, together with the reason(s) why advance notice could not be given. *[Reference Regulation No. 30 Section 6(h)(1), dated 12/11/2000]*
 - C. The written notice shall include all of the following information: *[Reference Regulation No. 30 Section 6(h)(1), dated 12/11/2000]*
 - 1. The identification of the affected emission unit(s) and a description of the change to be made.
 - 2. The date on which the change will occur.
 - 3. Any changes in emissions.
 - 4. Any permit terms and conditions that are affected, including any new applicable requirements.
- iv. The Company shall submit to the Department an annual emissions statement in accordance with Regulation No. 17 Section 7 not later than April 30 of each year or other date as established by the Department unless an extension by the Department is granted.

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Such emissions statement shall cover the preceding calendar year. *[Regulation No. 17 Section 7, dated 1/11/93]*

- v. If required, the Company shall submit to the Department a progress report for applicable requirement(s) identified in Condition 5 - Table 1 of this permit. Such reports shall be submitted not later than the first day of August (covering the period from January 1 through June 30) and the first day of February (covering the period July 1 through December 31) of each calendar year. Each progress report shall include the following: *[Reference Regulation No. 30 Sections 5(d)(8), dated 12/11/2000 and 6(c)(4), dated 12/11/2000]*
 - A. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved. *[Reference Regulation No. 30 Section 6(c)(4)(i), dated 12/11/2000]*
 - B. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted. *[Reference Regulation No. 30 Section 6(c)(4)(ii), dated 12/11/2000]*
- vi. Nothing herein shall relieve the Company from any reporting requirements under federal, state or local laws. *[Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(ee), dated 12/11/2000]*

3. General Compliance Certification Requirements.

- i. Compliance with terms and conditions detailed in Condition 3 - Table 1 of this permit shall be certified to the Department not later than the first day of February of each year unless the terms or conditions in Condition 3 - Table 1 require compliance certifications to be submitted more frequently. Such certification shall cover the previous calendar year and shall be submitted on Form AQM-1001BB. The Compliance Certification shall include the following information: *[Reference Regulation No. 30 Section 6(c)(5)(i), dated 12/11/2000]*
 - A. The identification of each term or condition of the permit that is the basis of the certification. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(A), dated 12/11/2000]*
 - B. The Company's current compliance status, as shown by monitoring data and other information reasonably available to the Company. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(B), dated 12/11/2000]*
 - C. Such certification shall indicate whether compliance was continuous or intermittent during the covered period. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(C), dated 12/11/2000]*
 - D. The method(s) used for determining the compliance status of the Company, currently and over the reporting period as required by the monitoring, record keeping, and reporting required under Condition 3. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(D), dated 12/11/2000]*
 - E. Such other facts as the Department may require to determine the compliance status of the source. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(E), dated 12/11/2000]*
- ii. Each compliance certification shall be submitted to the Department and EPA and shall be certified in accordance with Condition 2(a) of this permit. *[Reference Regulation No. 30 Section 6(c)(5)(iv), dated 12/11/2000]*
- iii. Any additional information possessed by the Company that demonstrates noncompliance with any applicable requirement must also be used as the basis for compliance certifications. *[Reference 62 FR 8314, dated 2/24/97]*

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Condition 3 - Table 1 (Specific Requirements)

Compliance Determination

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>a. Emission Unit 80 Boiler 80-1 (618 mmBtu/hr) Boiler 80-2 (716 mmBtu/hr) Boiler 80-3 (618 mmBtu/hr) Boiler 80-4 (737 mmBtu/hr) (Emission Point 80-1)</p> <p>1. General Provisions: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</p> <p>i. The Company is permitted to operate Boiler 80-2 during the period from the date of issuance of the referenced construction permit until the date Boiler 80-2 is shut down for construction of the modifications ("Interim Period"). During the interim period, the operation of Boiler 80-2 shall comply with all requirements of the referenced permit.</p> <p>2. Conditions Applicable to Multiple Pollutants:</p> <p>i. Operational Limitations: [Reference APC-90/0288-CONSTRUCTION (Amendment 4) (RACT) - Boiler No. 1, dated 05/03/2002, APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002, APC-90/0290-CONSTRUCTION (Amendment 4) (RACT) - Boiler No. 3, dated 05/03/2002 and APC-90/0291-OPERATION - Boiler No. 4, dated 02/02/1993]</p> <p>A. Only desulfurized refinery fuel gas (RFG) or natural gas may be fired in Boilers 80-1 and 80-2. Only desulfurized RFG, natural gas or syngas may be fired in Boiler 80-3. Only</p>	<p>ii. Compliance Method: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</p> <p>A. Compliance with Operational Limitations (A) and (B) shall be based on Monitoring/Testing requirements.</p> <p>B. Compliance with Operational Limitation (C) shall be based on Monitoring/Testing and Recordkeeping requirements.</p> <p>C. Compliance with Operational Limitation (D) shall be based on Monitoring/Testing requirements.</p> <p>D. Compliance with Operational Limitation (E) shall be based on maintaining the</p>	<p>v. Reporting: [Reference APC-90/0288-CONSTRUCTION (Amendment 4) (RACT) - Boiler No. 1, dated 05/03/2002, APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002, APC-90/0290-CONSTRUCTION (Amendment 4) (RACT) - Boiler No. 3, dated 05/03/2002 and APC-97/0503-OPERATION (Amendment 2) (LAER) (NSPS), dated 08/06/2003]</p> <p>A. The Company shall submit complete permit applications at least six (6) months prior to completion of the modification of Boiler 80-2 authorized by the referenced permit that proposes unit-specific rolling twelve (12) month emission limits for the CCUs (Emission</p>

Condition 3 - Table 1 (Specific Requirements)

Compliance Determination

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>desulfurized RFG may be fired in Boiler 80-4. During periods of natural gas curtailment by supplier, the Company shall burn only low sulfur (0.05 wt% sulfur) liquid fuel in Boilers 80-1, 80-2 and 80-3. C. During single train operation, the sulfur content in the clean syngas shall not exceed 508 ppmvd on a 24-hour rolling average basis and 480 ppmvd on a twelve month rolling average basis as measured by the TRS analyzer. Within 60 days of achieving sustained two train operation at the design rate, the Company shall propose for the Department's approval a short term and annual TRS limits for two gasifier train operations. In the interim period, during two train operations, the sulfur content in the clean syngas shall not exceed 830 ppmvd on a 24 hour rolling average basis. [Reference APC-97/0503-OPERATION (Amendment 2) (LAER) (NSPS), dated 08/06/2003]</p> <p>D. The hydrogen sulfide (H₂S) content of RFG shall not exceed 0.10 gr/dscf on a three (3) hour rolling average.</p> <p>E. Except during periods of startup and shutdown, the burner steam injection and flue gas recirculation systems shall be working properly.</p> <p>F. Upon completion of the modification of Boiler 80-2 authorized by the referenced permit or</p>	<p>manufacturer's recommended steam injection and flue gas recirculation rates.</p> <p>E. Compliance with Operational Limitation (F) shall be based on monitoring the temperature of the combustion air from the air preheater continuously.</p> <p>F. Compliance with Operational Limitation (G) shall be based on Monitoring/Testing requirements.</p> <p>G. Compliance with Reporting Requirement (A) shall be based on receipt of timely and complete permit applications for the CCUs (Emission Units 84-1 and 84-2) and Boilers 80-1 and 80-3.</p> <p>iii. Monitoring/Testing: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</p> <p>A. The Company shall continuously monitor and record the concentration (dry basis) of H₂S in RFG before it is combusted in any fuel burning device. The monitoring instrument shall be located downstream of all process steps which impact the composition of RFG prior to its being combusted in any fuel burning device. The monitoring instrument shall conform to the QA/QC requirements of 40 CFR 60, Appendix "F." The monitoring instrument shall conform to the Performance Specification 7 of 40 CFR 60, Appendix "B." The relative accuracy evaluation shall be conducted using Method 11 of 40 CFR 60, Appendix "A."</p>	<p>Units 84-1 and 84-2) and Boilers 80-1 and 80-3 based on the revised capacity factors. These applications shall reflect the increased utilization of Boiler 80-2 and the consequent reduction in the emissions of nitrogen oxides (NO_x) and other pollutants from these affected units.</p> <p>B. The Company shall give the Department the opportunity to witness all stack emission testing and monitor certification testing including any test audits conducted on the monitors as a part of the Quality Assurance Program. [Reference Regulation No. 30 Section 6(a)(3)(i)(B), dated 12/11/2000]</p> <p>C. All monitor performance specification testing and stack emissions testing shall require the submission of a "Source Sampling Guidelines and Preliminary Survey Form" which must be found acceptable to the Department at least thirty (30) days prior to the testing.</p> <p>D. The results of all monitor performance specification testing and stack emission testing shall be submitted to the Department, in triplicate, within ninety (90) days after completion of the testing.</p> <p>E. The Company shall comply with the following quarterly excess emissions reports for the boilers. The reports for the preceding quarter shall be submitted to the Department by January 31, April 30, July 31 and October 31 of each calendar year with a summary of all excess emissions for the quarter. The summary shall include:</p>

Condition 3 - Table 1 (Specific Requirements)

Compliance Determination

Emission Limitation(s)/Standard(s)

and/or Operational

Limitation(s)/Standard(s)

Methodology

(Monitoring/Testing, QA/QC Procedures

(as applicable) and Record Keeping)

Reporting/Compliance Certification

- June 25, 2004, whichever is earlier, the temperature of the combustion air from the air preheater for Boiler 80-2 shall not exceed 500 degrees F.
- G. The Company shall not cause or allow the use of any fuel having a sulfur content greater than one (1) percent by weight and any distillate fuel oil having a sulfur content greater than 0.3 percent by weight in any fuel burning equipment. [Reference Regulation No. 8 Sections 2.1 and 2.2, dated 05/09/1985]
- B. The Company shall continuously monitor and record the concentration (dry basis) of TRS in syngas before it is combusted in any fuel burning device. The TRS monitor shall be located downstream of all process steps which impact the composition of syngas prior to its being combusted in any fuel burning device. The TRS monitor shall conform to the QA/QC requirements of 40 CFR Part 60, Appendix "F." The TRS monitor shall conform to Performance Specification 5 of 40 CFR Part 60, Appendix "B." Relative accuracy evaluations shall be conducted using Method 15 of 40 CFR Part 60, Appendix "A." [Reference APC-97/0503-OPERATION (Amendment 2) (LAER)(NSPS), dated 08/06/2003]
- C. A continuous flow monitoring system shall be installed to measure the amount of syngas combusted in Boiler 80-3. [Reference APC-90/0290-CONSTRUCTION (Amendment 4) (RACT) - Boiler No. 3, dated 05/03/2002]
- D. Upon completion of the modification of Boiler 80-2 authorized by the referenced permit or June 25, 2004, whichever is earlier, the Company shall continuously monitor the temperature of the combustion air from the air preheater for Boiler 80-2.
- E. The Company shall conduct the following stack tests after reaching maximum production or within one-hundred eighty (180) days of startup of Boiler 80-2.
1. EPA Reference Method 6C for SO₂
 2. EPA Reference Method 7E for NO_x
1. The name and location of the facility;
 2. The subject sources that caused the excess emissions;
 3. The time and date of the first observation of the excess emissions;
 4. The cause and expected duration of the excess emissions;
 5. The estimated amount of emissions (expressed in the units of applicable emission limitation) and the operating data and calculations used in determining the magnitude of the excess emissions; and
 6. The proposed corrective actions and schedule to correct the conditions causing the excess emissions.
 7. Fuel usage by each CCU, duct burner and boiler on a monthly basis and on a rolling twelve (12) month basis.
 8. All periods during single train operation when the 24-hour rolling average sulfur content in the syngas exceeds 508 ppmv (dry) and the twelve month rolling average sulfur content in the syngas exceeds 480 ppmv (dry) basis as measured by the TRS analyzer;
 9. All periods during two train operation when the 24-hour rolling average sulfur content in the syngas exceeds 830 ppmv (dry) as measured by the TRS analyzer.
 10. All periods when the combustion air temperature from the air preheater of Boiler 80-2 exceeds 500 degrees F.

Condition 3 - Table 1 (Specific Requirements)

Compliance Determination

**Emission Limitation(s)/Standard(s)
and/or Operational
Limitation(s)/Standard(s)**

Methodology

**(Monitoring/Testing, QA/QC Procedures
(as applicable) and Record Keeping)**

Reporting/Compliance Certification

3. EPA Reference Method 5 for TSP
4. EPA Reference Method 201/202 for PM10, excluding H₂SO₄
5. EPA Reference Method 10 for CO
6. EPA Reference Method 25A for VOC
7. EPA Reference Method 8 for H₂SO₄
- F. The Company shall continuously monitor the oxygen concentration of Boiler 80-4 combustion gases. A display of current oxygen concentration readings shall be available in the control room. [Reference APC-90/0291-OPERATION - Boiler No. 4, dated 02/02/1993]
- G. The Company shall continuously monitor and record the fuel flow rates for each boiler. [Reference Regulation No. 30 Section 6(a)(3)(i)(B), dated 12/11/2000]
- iv. Recordkeeping: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]
 - A. The Company shall maintain all records necessary for determining compliance with this permit in a readily accessible location for five (5) years and shall make these records available to the Department upon written or verbal request.
 - B. The following records shall be maintained for a period of five (5) years:
 1. All 24-hour rolling and twelve (12) month rolling averages of sulfur content in clean syngas as measured by the TRS analyzer.
 2. All periods when the combustion air

11. CEMS report to include system calibration and audit results, and the actual daily data capture for the period.
12. Higher and lower heating values of syngas obtained monthly.
13. All periods of opacity exceedances.
- F. If the real-time oxygen concentration reading of combustion gases exiting Boiler 80-4 is not available for twenty-four (24) consecutive hours, a written report shall be submitted to the Department within seven (7) days stating the length of time out-of-service, the cause, and the corrective action taken. [Reference APC-90/0291-OPERATION - Boiler No. 4, dated 02/02/1993]
- G. The Company shall notify the Department in writing prior to making any material changes which cause these units to fall under the authority of Title IV of the Clean Air Act.
- H. In the semi-annual reporting, the Company shall include the following with respect to low sulfur liquid fuel (LSLF) combusted in each boiler for each day in the reporting period:
 1. Number of hours on LSLF
 2. Quantity of LSLF
 3. Sulfur content of LSLF
 4. Specification sheet for each batch of LSLF [Reference Regulation No. 30 Section 6(a)(3)(i)(B), dated 12/11/2000]
- vi. Certification Requirement: [Reference Heaters and Boiler Consent Decree, i.e., First Amendment to Consent Decree, Civil Action No. H-01-0978 between United States

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Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>3. Particulate Emissions: v. Emission Standards: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</p> <p>A. The Company shall not cause or allow the emission of particulate matter (PM10) in excess of 321 TPY from the CCUs (Emission Units 84-1 and 84-2) and Boilers 80-1, 80-2 and 80-3, combined (inclusive of 25.6 TPY H₂SO₄ mist from Boilers 80-1 and 80-3 combined and 213.6 TPY from the CCUs) on a rolling twelve (12) month basis.</p> <p>B. Stack test based PM10 emissions excluding H₂SO₄ shall not exceed the following limits:</p> <p>1. 0.005 lb/mmBtu heat input when firing natural gas or refinery fuel gas in Boilers 80-1, 80-2 and 80-3.</p> <p>2. 0.005 lb/mmBtu heat input when firing syngas in Boiler 80-3.</p> <p>C. The Company shall not cause or allow the emission of total suspended particulate (TSP)</p>	<p>temperature from the air preheater of Boiler 80-2 exceeds 500 degrees F.</p> <p>3. Fuel flow rates and high heating values of fuels combusted for each boiler. [Reference Regulation No. 30 Section 6(a)(3)(ii), dated 12/11/2000]</p> <p>iii. Compliance Method: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</p> <p>A. Compliance with PM10 Emission Standards shall be demonstrated using stack test based emissions factors and fuel flow rates for the CCUs, duct burners and boilers.</p> <p>B. Compliance with TSP Emission Standards shall be demonstrated using stack test based emissions factors and fuel flow rates for the CCUs, duct burners and boilers.</p> <p>C. Compliance with Emission Standard (E) shall be demonstrated using stack test based emissions factors and fuel flow rates for Boiler 80-2.</p> <p>iv. Monitoring/Testing: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>v. Recordkeeping:</p>	<p>of America, Plaintiff and the States of Delaware, Louisiana, and the Northwest Air Pollution Authority of the State of Washington, Plaintiff-Intervenors, versus Motiva Enterprises LLC, Equilon Enterprises LLC and Deer Park Refining Limited Partnership, Defendants, filed in the United States District Court for the Southern District of Texas on May 29, 2002]</p> <p>In the annual compliance certification required under Condition 3(c)(3) of this permit, and pursuant to the referenced Consent Decree, the Company shall certify that liquid fuel was not burned in any combustion unit at the facility during the reporting period.</p> <p>vi. Reporting: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>vii. Certification Requirement: None in addition to those listed in Condition 3(c)(3) of this permit.</p>

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Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>in excess of 92 TPY from the CCUs (Emission Units 84-1 and 84-2) and Boilers 80-1, 80-2 and 80-3, combined.</p> <p>D. Stack test based TSP emissions shall not exceed the following limits:</p> <ol style="list-style-type: none">1. 0.005 lb/mmBtu heat input when firing natural gas or refinery fuel gas in Boilers 80-1, 80-2 and 80-3.2. 0.005 lb/mmBtu heat input when firing syngas in Boiler 80-3. <p>E. Upon completion of the modification of Boiler 80-2 authorized by the referenced permit or June 25, 2004, whichever is earlier, the Company shall not cause or allow the emissions of PM10 and TSP from Boiler 80-2 in excess of the following limits:</p> <ol style="list-style-type: none">1. PM10: 17.0 TPY inclusive of 1 TPY of H₂SO₄ mist.2. PM10: 0.0054 lb/mmBtu3. TSP: 15.7 TPY4. TSP: 0.005 lb/mmBtu <p>F. The Company shall not cause or allow the emission of particulate matter in excess of 0.3 lb/mmBtu, maximum two (2) hour average, from any fuel burning equipment. [Reference Regulation No. 4 Section 2.1, dated 2/1/1981]</p>	<p>See "Conditions Applicable to Multiple Pollutants" in this Table.</p>	
<p>ii. Operational Limitation: See "Conditions Applicable to Multiple Pollutants" in this Table.</p>		
<p>4. Sulfur Dioxide (SO₂):</p>	<p>iii. Compliance Method:</p>	<p>[Reference vi. Reporting:</p>

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Compliance Determination

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>i. Emission Standards: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</p> <p>A. The Company shall not cause or allow emission of SO₂ in excess of 3,827 TPY from the CCUs (Emission Units 84-1 and 84-2) and Boilers 80-1, 80-2 and 80-3, combined.</p> <p>B. Upon completion of the modification of Boiler 80-2 authorized by the referenced permit or June 25, 2004, whichever is earlier, the Company shall not cause or allow the emission of SO₂ from Boiler 80-2 in excess of 84.7 TPY.</p> <p>ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.</p>	<p>APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002 and APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <p>Compliance with the SO₂ Emission Standards shall be based on Continuous Emissions Monitoring System (CEMS) for the CCUs and Boilers 80-1, 80-2, 80-3 and 80-4.</p> <p>iv. Monitoring/Testing: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</p> <p>A. The Company shall operate and maintain SO₂ CEMS for the CCUs and Boilers 80-1, 80-2, 80-3 and 80-4.</p> <p>B. The SO₂ CEMS for Boilers 80-1 and 80-3 shall be certified, and for Boiler 80-2 shall be initially certified, by satisfying the requirements of Performance Specification 2 of 40 CFR 60, Appendix "B." The Quality Assurance/Quality Control (QA/QC) procedures for SO₂ CEMS for these boilers shall be established in accordance with 40 CFR 60, Appendix "F."</p> <p>C. The SO₂ CEMS for Boiler 80-4 shall be certified by satisfying the requirements of Performance Specifications of 40 CFR 75, Appendix "A." The Quality Assurance/Quality Control (QA/QC) procedures for SO₂ CEMS for this boiler shall be established in accordance with 40 CFR 75, Appendix "B."</p> <p>D. All monitor certifications shall be conducted within 180 days of unit start-up.</p>	<p>See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>vii. Certification Requirement: None in addition to those listed in Condition 3(c)(3) of this permit.</p>

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Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>5. Nitrogen Oxides (NOx):</p> <p>i. Emission Standards: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</p> <p>A. The Company shall not cause or allow the emission of NOx in excess of 1,261 TPY from the CCUs (Emission Units 84-1 and 84-2) and Boilers 80-1, 80-2 and 80-3, combined on a rolling twelve (12) month basis.</p> <p>B. The Company shall not cause or allow the emission of NOx in excess of the following baseline emission levels for the boilers:</p> <p>1. Boiler 80-1: 772 TPY</p> <p>2. Boiler 80-2: 804 TPY</p> <p>3. Boiler 80-3: 808 TPY C. The NOx emissions shall not exceed the following levels based on a 24-hour rolling average basis:</p> <p>1. 0.20 lb/mmBtu when firing refinery fuel gas and/or natural gas in Boilers 80-1, 80-2 and 80-3.</p> <p>2. 0.20 lb/mmBtu when firing syngas in Boiler 80-3.</p> <p>D. Upon completion of the modification of Boiler 80-2 authorized by the referenced permit or June 25, 2004, whichever is earlier, the Company shall not cause or allow the emission of NOx from Boiler 80-2 in excess of the</p>	<p>v. Recordkeeping: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</p> <p>The Company shall maintain SO₂ CEMS data for a period of at least five (5) years.</p> <p>iii. Compliance Method: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002 and APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <p>A. Compliance with the NOx Emission Standards shall be based on Continuous Emissions Monitoring System (CEMS) for NOx and CO₂ for the CCUs and Boilers 80-1, 80-2 and 80-3.</p> <p>B. Compliance with a less stringent (higher) emission limit shall be based on compliance with a more stringent limit.</p> <p>iv. Monitoring/Testing: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</p> <p>A. The Company shall operate and maintain NOx and CO₂ CEMS for the CCUs and the boilers.</p> <p>B. The NOx and CO₂ CEMS for boilers shall be certified (recertified for Boiler 80-2) by satisfying the applicable Performance Specifications in 40 CFR 75, Appendix "A." The QA/QC procedures for NOx and CO₂ CEMS shall be established in accordance with 40 CFR 75, Appendix "B." All monitor certifications shall be conducted within 180 days of unit start-up.</p>	<p>vi. Reporting:</p> <p>NOx authorized account representative of a NOx Budget source and each NOx Budget unit at the source shall submit the reports and compliance certifications required under the NOx Budget Trading Program, including those under Regulation No. 39 Sections 7, 8, and 11.</p> <p>vii. Certification Requirement: [Reference: Permit:AQM-003/00016-1 dated 05/01/2002 and Regulation No. 39 Section 6(d) dated 12/11/2000]</p> <p>In addition to those listed in Condition 3(c)(3) of this permit, each document submitted to the Department and the Administrator pursuant to this permit shall be signed and certified by the Authorized Account Representative and shall contain the following language:</p> <p>"I am authorized to make this submission on behalf of the owners and operators of the NOx Budget sources or NOx Budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best</p>

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Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>following limits:</p> <p><u>1.</u> 125.4 TPY</p> <p><u>2.</u> 0.04 lb/mmBtu on a 24-hour rolling average basis.</p> <p>E. The Company shall not cause or allow the emission of NO_x in excess of 0.25 lb/mmBtu from Boilers 80-1, 80-2 and 80-3 and 0.20 lb/mmBtu from Boiler 80-4, on a 24-hour rolling average basis. [Reference Regulation No. 12 Section 3.2(a) dated 11/24/1993 (NO_x RACT)]</p> <p>F. During the ozone season (May 1 through September 30) of each of the years 2003, 2004 and 2005, the Company shall hold in its compliance account and/or its overdraft account, as of the NO_x allowance transfer deadline of each control period, a quantity of NO_x allowances available for deduction that is equal to or greater than the total NO_x emissions from each boiler for that control period.</p> <p>[Reference: Permit:AQM-003/00016-I dated 05/01/2002 and Regulation No. 39 Section 2(a) dated 12/11/00 (NO_x Budget Trading Program)]</p> <p>ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.</p>	<p>v. Recordkeeping: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</p> <p>A. The Company shall maintain NO_x CEMS data for a period of at least five (5) years.</p> <p>B. Unless otherwise provided, the owners and operators of the NO_x Budget source and each NO_x Budget unit at the source shall keep on site at the source each of the following documents for a period of five (5) years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Department or the Administrator.</p> <p><u>1</u> The account certificate of representation under Regulation No. 39 Section 6 and all documents that demonstrate the truth of the statements in the account certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5 year period until such documents are superseded because of the submission of a new account certificate of representation under Regulation No. 39 Section 6 changing the NO_x authorized account representative.</p> <p><u>2</u> All emissions monitoring information, in accordance with Regulation No. 39 Section 8.</p> <p><u>3</u> Copies of all reports, compliance certifications, and other submissions and</p>	<p><i>of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."</i></p>

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Compliance Determination

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
	all records made or required under the NOx Budget Trading Program.	
	4 Copies of all documents used to complete a NOx Budget permit application and any other submission under the NOx Budget Trading Program or to demonstrate compliance with the requirements of the NOx Budget Trading Program.	
	5 Records demonstrating that any unit exempted under Regulation No.39 Section 3(b) of this regulation is retired. The owner(s) or operator(s) of that unit bears the burden of proof that the unit is retired.	
	[Reference: Permit:AQM-003/00016-I dated 05/01/2002 and Regulation No. 39 Sections 7, 8 and 11 dated 12/11/00]	
6. Carbon Monoxide (CO): i. Emission Standards: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002] A. The Company shall not cause or allow the emissions of CO in excess of 546 TPY from the CCUs (Emission Units 84-1 and 84-2) and Boilers 80-1, 80-2 and 80-3, combined on a rolling twelve (12) month basis. B. The Company shall not cause or allow the emissions of CO in excess of the 0.034 lb/mmBtu from Boilers 80-1, 80-2 and 80-3. C. Upon completion of the modification of Boiler 80-2 authorized by the referenced permit or June 25, 2004, whichever is earlier,	iii. Compliance Method: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002 and APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003] Compliance with the CO Emission Standards shall be demonstrated by the following methods: A. CEMS for the CCUs. B. Stack test based emission factor and fuel flow rates for Boilers 80-1, 80-2 and 80-3. This requirement applies to Boiler 80-2 until CEMS is required under Compliance Method (C) below. C. CEMS for Boiler 80-2. This condition is applicable upon completion of the	vi. Reporting: See "Conditions Applicable to Multiple Pollutants" in this Table. vii. Certification Requirement: None in addition to those listed in Condition 3(c)(3) of this permit.

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Compliance Determination

Emission Limitation(s)/Standard(s)	Methodology	Reporting/Compliance Certification
and/or Operational	(Monitoring/Testing, QA/QC Procedures	
Limitation(s)/Standard(s)	(as applicable) and Record Keeping)	
<p>the Company shall not cause or allow the emission of CO from Boiler 80-2 in excess of the following limits:</p> <ol style="list-style-type: none">1. 106.6 TPY2. 0.034 lb/mmBtu on an hourly basis.	<p>modification of Boiler 80-2 authorized by the referenced permit or June 25, 2004, whichever is earlier.</p>	
<p>ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.</p>	<p>iv. Monitoring/Testing: <i>[Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</i></p> <p>A. The Company shall operate and maintain CO CEMS for the CCUs.</p> <p>B. The Company shall operate and maintain CO CEMS for Boiler 80-2 upon completion of the modification of Boiler 80-2 authorized by the referenced permit or June 25, 2004, whichever is earlier.</p> <p>C. The CO CEMS shall be installed and certified by satisfying the applicable Performance Specifications in 40 CFR part 60, Appendix "B." The QA/QC procedures for the CO CEMS shall be established in accordance with the procedures in 40 CFR Part 60, Appendix "F."</p>	
	<p>v. Recordkeeping: See "Conditions Applicable to Multiple Pollutants" in this Table.</p>	
<p>7. Volatile Organic Compounds (VOC):</p> <p>i. Emission Standards: <i>[Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</i></p> <p>A. The Company shall not cause or allow the emission of VOC in excess of 32 TPY from the CCUs (Emission Units 84-1 and 84-2) and Boilers 80-1, 80-2 and 80-3, combined on a</p>	<p>iii. Compliance Method: <i>[Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</i></p> <p>Compliance with the VOC Emission Standards shall be demonstrated using stack test based emission factors and fuel flow rates for the CCUs, duct burners and boilers.</p>	<p>vi. Reporting: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>vii. Certification: None in addition to those listed in Condition 3(c)(3) of this permit.</p>

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Compliance Determination

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>rolling twelve (12) month basis.</p> <p>B. Stack test based VOC emissions shall not exceed the following limits:</p> <p>1. 0.0014 lb/mmBtu when firing refinery fuel gas or natural gas in Boilers 80-1, 80-2 and 80-3.</p> <p>2. 0.0014 lb/mmBtu when firing syngas in Boiler 80-3.</p> <p>C. Upon completion of the modification of Boiler 80-2 authorized by the referenced permit or June 25, 2004, whichever is earlier, the Company shall not cause or allow the emission of VOC from Boiler 80-2 in excess of the following limits:</p> <p>1. 4.4 TPY</p> <p>2. 0.0014 lb/mmBtu</p> <p>ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>8. Sulfuric Acid Mist (H₂SO₄):</p> <p>i. Emission Standards: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</p> <p>A. The Company shall not cause or allow the emission of H₂SO₄ in excess of 239 TPY from the CCUs (Emission Units 84-1 and 84-2) and Boilers 80-1, 80-2 and 80-3, combined on a rolling twelve (12) month basis.</p> <p>B. The Company shall not cause or allow the emission of H₂SO₄ in excess of 1 TPY from Boiler 80-2.</p> <p>C. Upon completion of the modification of Boiler</p>	<p>iv. Monitoring/Testing: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>v. Recordkeeping: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>iii. Compliance Method: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002 and APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <p>A. Compliance shall be demonstrated using stack test based emission factors and fuel flow rates for the CCUs, duct burners and boilers.</p> <p>B. Compliance for the CCUs shall be demonstrated by applying the stack test based SO₂ to H₂SO₄ conversion factor to the CEMS-monitored SO₂ emissions.</p> <p>C. Compliance for the boilers shall be</p>	<p>vi. Reporting: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>vii. Certification: None in addition to those listed in Condition 3(c)(3) of this permit.</p>

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80-2 authorized by the referenced permit or June 25, 2004, whichever is earlier, the Company shall not cause or allow the emission of H ₂ SO ₄ from Boiler 80-2 in excess of 1 TPY.	demonstrated by applying the stack test based SO ₂ to H ₂ SO ₄ conversion factor to the CEMS-monitored SO ₂ emissions.	
ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.	iv. Monitoring/Testing: See "Conditions Applicable to Multiple Pollutants" in this Table. v. Recordkeeping: See "Conditions Applicable to Multiple Pollutants" in this Table.	
9. Lead (Pb): i. Emission Standard: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002] The Company shall not cause or allow the emission of Pb in excess of 0.075 TPY from the CCUs (Emission Units 84-1 and 84-2) and Boilers 80-1 and 80-3, combined on a rolling twelve (12) month basis. ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.	iii. Compliance Method: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002] Compliance with the Pb Emission Standard shall be demonstrated using stack test based emission factors and fuel flow rates for the CCUs (Units 84-1 and 84-2) and Boilers 80-1 and 80-3. iv. Monitoring/Testing: See "Conditions Applicable to Multiple Pollutants" in this Table. v. Recordkeeping: See "Conditions Applicable to Multiple Pollutants" in this Table.	vi. Reporting: See "Conditions Applicable to Multiple Pollutants" in this Table. vii. Certification: None in addition to those listed in Condition 3(c)(3) of this permit.
10. Visible Emissions: i. Emission Standard: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002] The Company shall not cause or allow the emission	iii. Compliance Method: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002] Compliance with the visible Emission Standard shall be demonstrated by a Continuous Opacity	vi. Reporting: See "Conditions Applicable to Multiple Pollutants" in this Table. vii. Certification:

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Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>of visible air contaminants from this unit in excess of twenty percent (20%) opacity for an aggregate of more than three (3) minutes in any one (1) hour period, or more than fifteen (15) minutes in any twenty-four (24) hour period.</p> <p>ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>11. Acid Rain Requirements for Boiler 80-4: [Reference Phase II Permit Application, dated 03/02/2000, submitted pursuant to U.S. EPA Acid Rain Program]</p> <p>i. Permit Requirements:</p> <p>A. The designated representative of each affected source and each affected unit at the source shall:</p> <p>1. Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and</p> <p>2. Submit in a timely manner any supplemental information that the permitting authority determines is</p>	<p>Monitoring System (COMS) for Boilers 80-1, 80-2, 80-3 and 80-4 common stack.</p> <p>iv. Monitoring/Testing: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</p> <p>A. The Company shall operate and maintain a COMS for Boilers 80-1, 80-2, 80-3 and 80-4 common stack.</p> <p>B. The COMS shall be certified in accordance with Performance Specification 1 in 40 CFR 60, Appendix "B."</p> <p>v. Recordkeeping: [Reference APC-90/0289-CONSTRUCTION (Amendment 5) (RACT) - Boiler No. 2, dated 10/25/2002]</p> <p>The Company shall maintain COMS data for a period of at least five (5) years.</p> <p>v. Compliance Method:</p> <p>The compliance with the Acid Rain requirements shall be based on Monitoring, Recordkeeping and Reporting Requirements.</p> <p>vi. Monitoring Requirements:</p> <p>A. The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.</p> <p>B. The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations</p>	<p>None in addition to those listed in Condition 3(c)(3) of this permit.</p> <p>viii. Reporting:</p> <p>The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.</p> <p>ix. Liability:</p> <p>A. Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of</p>

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit.</p> <p>B. The owners and operators of each affected source and each affected unit at the source shall:</p> <ol style="list-style-type: none">1. Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and2. Have an Acid Rain Permit. <p>ii. SO₂ Requirements:</p> <p>A. The owners and operators of each affected source and each affected unit at the source shall:</p> <ol style="list-style-type: none">1. Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of SO₂ for the previous calendar year from the unit.2. Comply with the applicable Acid Rain emissions limitation for SO₂. <p>B. Each ton of SO₂ emitted in excess of the Acid Rain emissions limitations for SO₂ shall constitute a separate violation of the Clean Air Act.</p> <p>C. An affected unit shall be subject to the requirements under paragraph (A) above as follows:</p> <ol style="list-style-type: none">1. Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or2. Starting on the later of January 1, 2000 or	<p>and emissions reduction requirements for SO₂ and NO_x under the Acid Rain Program.</p> <p>C. The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.</p> <p>vii. Recordkeeping: Unless otherwise provided, the owners and operators of the affected source and each affected unit at the source shall keep on site at the source each of the following documents for a period of five (5) years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Department or the Administrator.</p> <p>A. The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative.</p> <p>B. All emissions monitoring information, in accordance with 40 CFR part 75.</p> <p>C. Copies of all reports, compliance certifications,</p>	<p>any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Clean Air Act.</p> <p>B. Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Clean Air Act and 18 U.S.C. 1001.</p> <p>C. No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.</p> <p>D. Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.</p> <p>E. Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.</p> <p>F. Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17,</p>

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).</p> <p>D. Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.</p> <p>E. An allowance shall not be deducted in order to comply with the requirements under paragraph (A) above prior to the calendar year for which the allowance was allocated.</p> <p>F. An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit SO₂ in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.</p> <p>G. An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.</p> <p>iii. NO_x Requirements: The owners and operators of each affected source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for NO_x.</p> <p>iv. Excess Emissions Requirements: A. The designated representative of an affected</p>	<p>and other submissions and all records made or required under the Acid Rain Program.</p> <p>D. Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.</p>	<p>and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.</p> <p>G. Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Clean Air Act.</p> <p>x. Effect on Other Authorities: No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:</p> <p>A. Except as expressly provided in title IV of the Clean Air Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Clean Air Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans.</p> <p>B. Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's</p>

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.</p> <p>B. The owners and operators of an affected unit that has excess emissions in any calendar year shall:</p> <ol style="list-style-type: none">1. Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and2. Comply with the terms of an approved offset plan, as required by 40 CFR part 77.		<p>obligation to comply with any other provisions of the Act.</p> <p>C. Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law.</p> <p>D. Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act.</p> <p>E. Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.</p> <p>vii. Certification Requirement: In addition to those listed in Condition 3(c)(3) of this permit, each document submitted to the Department and the Administrator pursuant to this permit shall be signed and certified by the Designated Representative and shall contain the following language:</p> <p><i>"I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware</i></p>

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>b. Emission Unit 82 Texaco Gasifiers 82-1a & 82-2a Gas Coolers 82-1b & 82-2b (Fugitive Emissions, No Emission Points)</p> <p>1. Conditions Applicable to Multiple Pollutants:</p> <p>i. Operational Limitations: [Reference <i>APC-97/0504-OPERATION, dated 08/06/2003</i>]</p> <p>A. Fugitive emissions of Volatile Organic Compounds (VOC) and hydrogen sulfide (H₂S) from the gasification process shall be subject to the Leak Detection and Repair requirements in 40 CFR 60, subpart VV and to the requirements in Regulation 24, Section 29 of Delaware's <u>Regulations Governing the Control of Air Pollution</u>.</p> <p>B. Upon commencement of a raw syngas flaring event when one gasifier train is operating, the coke feed to the gasifier shall be reduced to 840 tons per day of coke within 2 hours. This 840 tons per day limit is only applicable to the gasifier in the raw syngas flaring mode and does not apply to the other gasifier so long as it is producing clean syngas through the AGR. If during two train operation, both trains experience a raw syngas event, then coke feed to each gasifier shall be reduced to 600 tons per day within 2 hours.</p>	<p>ii. Compliance Method: [Reference <i>APC-97/0504-OPERATION, dated 08/06/2003</i>]</p> <p>A. Compliance with Operational Limitation (A) shall be based on the requirements of the Department approved protocol required pursuant to Condition 7 of Permit: APC-97/0504-CONSTRUCTION (Amendment 1) dated 03/07/2001 for Leak Detection and Repair (LDAR) Program that addresses the fugitive emissions of Volatile Organic Compounds (VOC) and hydrogen sulfide (H₂S) from the gasification process.</p> <p>B. Compliance with Operational Limitation (B) shall be based on information available to the Department which may include, but is not limited to, monitoring results, opacity and process operating data, and the record keeping requirements.</p> <p>iii. Monitoring/Testing: [Reference <i>APC-97/0504-OPERATION, dated 08/06/2003</i>] None in addition to those listed in Condition 3(b)(1)(ii) of this permit.</p>	<p><i>that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."</i></p> <p>v. Reporting: None in addition to those listed in Condition 3(c)(2)(ii)(B) of this permit.</p> <p>vi. Certification Requirement: None in addition to those listed in Condition 3(c)(1) of this permit.</p>

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
2. Sulfur Dioxide (SO ₂):i. Operational Limitations: [Reference APC-97/0504-OPERATION, dated 08/06/2003] During single train operation, the sulfur content in the clean syngas shall not exceed 508 ppmv (dry) on a 24-hour rolling average basis and 480 ppmv (dry) on a twelve month rolling average basis as measured by the TRS analyzer. Within 60 days of achieving sustained two train operation at the design rate, the Company shall propose for the Department's approval short term and annual TRS limits for two gasifier train operations. In the	iv. Recordkeeping: [Reference APC-97/0504-OPERATION, dated 08/06/2003] A. The Company shall maintain all records necessary for determining compliance with this permit in a readily accessible location for five (5) years and shall make these records available to the Department upon written or verbal request. B. The following records shall be maintained for a period of five (5) years: <u>1.</u> Hourly raw and clean syngas production rates from each gasifier; <u>2.</u> Hourly coke and flux slurry rates to each gasifier. <u>3.</u> Log of all durations of raw syngas flaring events. ii. Compliance Method: [Reference APC-97/0504-OPERATION, dated 08/06/2003] Compliance shall be based on the TRS CEMS. iii. Monitoring & Testing: [Reference APC-97/0504-OPERATION, dated 08/06/2003] The Company shall operate and maintain TRS CEMS. iv. Recordkeeping: [Reference APC-97/0504-OPERATION, dated 08/06/2003] The following records shall be maintained for a	v. Reporting: [Reference APC-97/0504-OPERATION, dated 08/06/2003] The Company shall submit quarterly reports. The reports for the preceding quarter shall be submitted to the Department by January 31, April 30, July 31 and October 31 of each calendar year with a summary of all excess emissions for the quarter. The summary shall include: A. The sulfur content in the coke on a daily average basis and on a rolling twelve month average basis; B. All periods during single train operation when

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
interim period, during two train operations, the sulfur content in the clean syngas shall not exceed 830 ppmv (dry) on a 24 hour rolling average basis.	period of five (5) years: A. Sulfur content in the coke slurry sampled and analyzed daily; B. 24-hour rolling average and twelve (12) month rolling average sulfur content in the clean syngas.	the 24-hour rolling average sulfur content in the syngas exceeds 508 ppmv (dry) and the twelve month rolling average sulfur content in the syngas exceeds 480 ppmv (dry) basis as measured by the TRS analyzer; C. All periods during two train operation when the 24-hour rolling average sulfur content in the syngas exceeds 830 ppmv (dry) as measured by the TRS analyzer.
c. <u>Emission Unit 83:</u> Amine Acid Gas Removal System 83-1, Syngas Flare 83-2, Three-Cell Linear Mechanical Draft Evaporative Cooler 83-3 (Emission Points 83-1, 83-2 and 83-3) 1. Conditions Applicable to Multiple Pollutants: i. Operational Limitations: [Reference APC-97/0504-OPERATION, dated 08/06/2003] A. Syngas may be diverted to the flare during periods when process upsets, malfunctions, safety trips, start-ups or shut-downs occur in the combustion turbines, gasification section, gas cooling section, the amine acid gas removal system, the slurry preparation section, the refinery sulfur recovery unit or in the air separation plant. B. The Company shall take all necessary steps to ensure that the duration of each flaring event is minimized. The total duration of flaring	ii. Compliance Method: [Reference APC-97/0504-OPERATION, dated 08/06/2003] Compliance shall be based on Recordkeeping and Reporting requirements and on information available to the Department which may include, but is not limited to, monitoring results, opacity and process operating data. iii. Monitoring/Testing: None in addition to those listed in Condition 3(b)(1) of this permit. iv. Recordkeeping: [Reference APC-97/0504-OPERATION, dated 08/06/2003]	vi. Certification Requirement: None in addition to those listed in Condition 3(c)(1) of this permit. v. Reporting: [Reference APC-97/0504-OPERATION, dated 08/06/2003] The Company shall submit quarterly reports. The reports for the preceding quarter shall be submitted to the Department by January 31, April 30, July 31 and October 31 of each calendar year with a summary of all excess emissions for the quarter. The summary shall include: A. All periods of flaring events with a description of each event including steps taken to minimize each flaring duration and steps taken to prevent similar occurrences in the future. B. During periods of flaring, the calculated raw syngas production rate, the measured clean

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>emissions of particulate matter in excess of 0.2 grains per standard cubic foot from the cooling tower operations. [Reference Regulation No. 5 Section 2.1, dated 02/01/1981]</p> <p>ii. Operational Limitation: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>3. Sulfur Dioxide (SO₂):</p> <p>i. Emission Standard: [Reference APC-97/0504-OPERATION, dated 08/06/2003] The Company shall not cause or allow emission of SO₂ in excess of 709 tons from the flare during process upsets, planned start-ups and planned shut downs of gasification section, gas cooling section, amine acid gas removal system, combustion turbines, sulfur recovery unit or air separation plant in any rolling twelve (12) month period.</p> <p>ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.</p>	<p>iv. Monitoring/Testing: [Reference APC-97/0504-OPERATION, dated 08/06/2003] A. The Company shall conduct a weekly test of total solids using Method 2540B of Standard Methods for the Examination of Water and Wastewater. B. The Company shall continuously monitor cooling water flow rate.</p> <p>v. Recordkeeping: [Reference APC-97/0504-OPERATION, dated 08/06/2003] The following records shall be maintained for a period of five (5) years: A. Weekly test results of total solids using Method 2540B of Standard Methods for the Examination of Water and Wastewater. B. Continuous cooling water flow rates.</p> <p>iii. Compliance Method: [Reference APC-97/0504-OPERATION, dated 08/06/2003] Compliance shall be demonstrated as follows: A. Emissions from raw syngas flaring shall be determined based on the coke and flux slurry rate to the gasifier and the percent sulfur in the slurry solids during the flaring event. B. Emissions from clean syngas flaring shall be determined from the flow, sulfur content and heat content of the clean syngas.</p> <p>iv. Monitoring/Testing: [Reference APC-97/0504-OPERATION, dated 08/06/2003] A. The Company shall monitor the sulfur content in the coke slurry on a daily basis.</p>	<p>quarter. The summary shall include all periods when calculated PM10 emission rates exceed 6.57 TPY on a rolling twelve (12) month basis.</p> <p>vii. Certification Requirement: None in addition to those listed in Condition 3(c)(3) of this permit.</p> <p>vi. Reporting: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>vii. Certification Requirement: None in addition to those listed in Condition 3(c)(3) of this permit.</p>

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
4. NOx Emissions: i. Emission Standard: <i>[Reference: Star Repowering Project, Air Quality Construction Permit Application, dated May 1997 and Letter with spreadsheet attachment from</i>	B. The Company shall complete an analysis of the raw syngas no later than September 30, 2003 in accordance with a protocol developed by the Company and approved by the Department. C. The Company shall use the Department approved monitoring protocol to determine the sulfur content in the coke slurry fed to each gasifier. The monitoring protocol shall be used to determine the rate of sulfur entering the gasifier using daily sampling and analysis for sulfur content of the coke slurry. v. Recordkeeping: <i>[Reference APC-97/0504-OPERATION, dated 08/06/2003]</i> The following records shall be maintained for a period of five (5) years: A. Hourly raw and clean syngas production rates from each gasifier. B. Hourly coke and flux slurry rates to each gasifier. C. Sulfur content in the coke slurry sampled and analyzed daily. D. 24-hour rolling average and twelve (12) month rolling average sulfur content in the clean syngas. E. Cumulative rolling twelve (12) month flare SO ₂ emissions. iii. Compliance Method: <i>[Reference Regulation No. 30 Section 6(a)(3), dated 12/11/2000]</i> Compliance with the Emission Standard shall be based on Monitoring and Recordkeeping	vi. Reporting: None in addition to those listed in Condition 3(c)(2) of this permit.

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Compliance Determination

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p><i>Mike Gritz to Ravi Rangan dated July 28, 2003]</i> The Company shall not cause or allow the emission of NO_x in excess of 28 tons from the flare during process upsets, planned start-ups and planned shut downs of gasification section, gas cooling section, amine acid gas removal system, combustion turbines, sulfur recovery unit or air separation plant in any rolling twelve (12) month period.</p> <p>ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.</p>	<p>requirements.</p> <p>iv. Monitoring/Testing: <i>[Reference Regulation No. 30 Section 6(a)(3)(i)(B), dated 12/11/2000]</i> The Company shall continuously monitor the type and the duration of each type of fuel combusted in the flare.</p> <p>v. Recordkeeping: <i>[Reference Regulation No. 30 Section 6(a)(3)(ii), dated 12/11/2000]</i> The Company shall maintain the following records for a period at least five (5) years from the date the record is created:</p> <p>A. Amount of natural gas combusted for the pilot flame and amount of raw and clean syngas flared.</p> <p>B. Continuous log of the hours that each fuel is combusted.</p> <p>C. Twelve (12) month running totals calculated each month for the previous calendar month of the amount and duration of each fuel type.</p>	<p>vii. Certification: None in addition to those listed in Condition 3(c)(3) of this permit.</p>
<p>5. CO Emissions:</p> <p>i. Emission Standard: <i>[Reference: Star Repowering Project, Air Quality Construction Permit Application, dated May 1997 and Letter with spreadsheet attachment from Mike Gritz to Ravi Rangan dated July 28, 2003]</i> The Company shall not cause or allow the emission of CO in excess of 1,117 tons from the flare during process upsets, planned start-ups and planned shut downs of gasification section, gas cooling section, amine acid gas removal system, combustion turbines, sulfur recovery unit or air separation plant in any rolling twelve (12) month period.</p>	<p>iii. Compliance Method: <i>[Reference Regulation No. 30 Section 6(a)(3), dated 12/11/2000]</i> Compliance with the Emission Standard shall be based on Monitoring and Recordkeeping requirements.</p> <p>iv. Monitoring/Testing: <i>[Reference Regulation No. 30 Section 6(a)(3)(i)(B), dated 12/11/2000]</i> The Company shall continuously monitor the type and the duration of each type of fuel combusted in the flare.</p>	<p>vi. Reporting: None in addition to those listed in Condition 3(c)(2) of this permit.</p> <p>vii. Certification: None in addition to those listed in Condition 3(c)(3) of this permit.</p>

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.	v. Recordkeeping: [Reference Regulation No. 30 Section 6(a)(3)(ii), dated 12/11/2000] The Company shall maintain the following records for a period at least five (5) years from the date the record is created: A. Amount of natural gas combusted for the pilot flame and amount of raw and clean syngas flared. B. Continuous log of the hours that each fuel is combusted. C. Twelve (12) month running totals calculated each month for the previous calendar month of the amount and duration of each fuel type.	
6. Visible Emissions: i. Emission Standard: [Reference APC-97/0504-OPERATION, dated 08/06/2003] Emissions from the flares shall be smokeless except for periods not to exceed a total of five (5) minutes during any two (2) consecutive hours. ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.	iii. Compliance Method: [Reference APC-97/0504-OPERATION, dated 08/06/2003] Compliance with the visible Emission Standard shall be determined by the Monitoring/Testing requirement. iv. Monitoring/Testing: [Reference APC-97/0504-OPERATION, dated 08/06/2003] Compliance with the visible Emission Standard shall be determined by Reference Method 22 of Appendix "A" in 40 CFR 60. v. Recordkeeping: See "Conditions Applicable to Multiple Pollutants" in this Table.	vi. Reporting: See "Conditions Applicable to Multiple Pollutants" in this Table. vii. Certification: None in addition to those listed in Condition 3(c)(3) of this permit.
d. <u>Emission Unit 84:</u> Combined Cycle Units 84-1 and 84-2 (Emission Points 84-1 and 84-2) 1. Conditions Applicable to Multiple Pollutants:	iii. Compliance Method: [Reference	vi. Reporting: [Reference APC-97/0503-OPERATION

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>i. Emission Standards: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <p>A. The Company shall not cause or allow emissions from the CCUs that exceed the Standards of Performance for New Stationary Gas Turbines specified in 40 CFR 60 Subpart GG. [Reference 40 CFR 60 Subpart GG dated 09/10/1979 for SO₂ and dated 10/17/2000 for NO_x and Regulation No. 20 Section 10 dated 11/27/1985]</p> <p>B. The Company shall not cause or allow emissions from the duct burners that exceed the Standards of Performance for Electric Utility Steam Generating Units specified in 40 CFR 60 Subpart Db. [Reference 40 CFR 60 Subpart Db dated 10/17/2000 for SO₂ and particulate matter and dated 08/14/2001 for NO_x and Regulation No. 20 Section 26 dated 12/07/1988]</p> <p>C. The Department reserves the right to establish emission limitations and/or additional controls for specific compounds based on the results of the stack tests required under the Monitoring/Testing requirements.</p> <p>ii. Operational Limitations: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <p>A. When syngas is not fired in the combustion chambers of the CCUs, only LSDF may be fired in its place. The combined utilization of LSDF for both CCUs may not exceed 11,117,452 gallons in any twelve (12) consecutive months.</p>	<p>APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <p>A. Compliance with the Emission Standards (A) and (B) (NSPS limits) shall be based on the type of fuel combusted and/or compliance with the more stringent emission limits specified for individual pollutants for these units.</p> <p>B. Compliance with the Operational Limitations (A) and (C) (pertaining to type and amount of fuel burned) shall be based on record keeping requirements.</p> <p>C. Compliance with Operational Limitation (B) (pertaining to sulfur content of LSDF) shall be based on monitoring/testing requirements.</p> <p>D. Compliance with Operational Limitations (D) and (E) (pertaining to H₂S and TRS sulfur contents of syngas) shall be based on monitoring/testing requirements. In the event that the Administrator makes a determination of non-applicability of 40 CFR 60.104(a)(1) to the combustion of syngas, the Company shall submit an application to amend this permit to remove the requirement for H₂S monitoring and reporting.</p> <p>E. Compliance with the Operational Limitation (F) shall be based on record keeping requirements.</p> <p>F. Compliance with the Operational Limitation (G) shall be based on monitoring/testing requirements.</p> <p>iv. Monitoring/Testing: [Reference</p>	<p>(Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <p>A. The Company shall give the Department the opportunity to witness all stack emission testing and monitor certification testing including any test audits conducted on the monitors as a part of the Quality Assurance Program.</p> <p>B. Results of the stack emission testing shall be submitted to the Department, in triplicate, within sixty (60) days after completion of the testing.</p> <p>C. The Company shall comply with the following quarterly excess emissions reports for the CCUs. The reports for the preceding quarter shall be submitted to the Department by January 31, April 30, July 31 and October 31 of each calendar year with a summary of all excess emissions for the quarter. The summary shall include:</p> <ol style="list-style-type: none">1. The name and location of the facility;2. The subject sources that caused the excess emissions;3. The time and date of the first observation of the excess emissions;4. The cause and expected duration of the excess emissions;5. The estimated amount of emissions (expressed in the units of applicable emission limitation) and the operating data and calculations used in determining the magnitude of the excess emissions; and6. The proposed corrective actions and

Condition 3 - Table 1 (Specific Requirements)

Compliance Determination

**Emission Limitation(s)/Standard(s)
and/or Operational
Limitation(s)/Standard(s)**

Methodology

**(Monitoring/Testing, QA/QC Procedures
(as applicable) and Record Keeping)**

Reporting/Compliance Certification

- B. The sulfur content in the LSDF oil shall not exceed 0.05 weight percent.
- C. Only natural gas may be fired in the duct burners of the HRSGs. The combined utilization of natural gas shall not exceed 930,080 mmBtu/year in any twelve consecutive months.
- D. Hydrogen sulfide (H₂S) content in syngas shall not exceed 162 ppmv(d) or 0.10 gr./dscf on a three (3) hour rolling average basis. *[Reference 40 CFR 60 Subpart J and above-reference permit]*
- E. During single train operation, the sulfur content in the clean syngas shall not exceed 508 ppmvd on a 24-hour rolling average basis and 480 ppmvd on a twelve month rolling average basis as measured by the TRS analyzer. Within 60 days of achieving sustained two train operation at the design rate, the Company shall propose for the Department's approval a short term and annual TRS limits for two gasifier train operations. In the interim period, during two train operations, the sulfur content in the clean syngas shall not exceed 830 ppmvd on a 24 hour rolling average basis.
- F. The periods of startups, shutdowns and fuel transfers (syngas to LSDF and LSDF to syngas) shall not exceed 2 hours in duration.
- G. The Company shall not cause or allow the use of any fuel having a sulfur content greater than one (1.0) percent by weight and any distillate fuel oil having a sulfur content greater than 0.3 percent by weight in any fuel burning

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- A. LSDF sulfur content shall be determined by ASTM D-2622 or other federal or Department approved method.
- B. H₂S and sulfur contents of syngas shall be determined by instruments installed for continuously monitoring and recording the concentration (dry basis) of H₂S and TRS in syngas before it is combusted in any fuel burning device. The instruments shall be located downstream of all process steps which impact the composition of syngas prior to its being combusted in any fuel burning device. These instruments shall conform to the QA/QC requirements of 40 CFR Part 60, Appendix "F" and the following:
 - 1. The H₂S monitor shall conform to Performance Specification 7 of 40 CFR Part 60, Appendix "B." Relative accuracy evaluations shall be conducted using Method 11 of 40 CFR Part 60, Appendix "A."
 - 2. The TRS monitor shall conform to Performance Specification 5 of 40 CFR Part 60, Appendix "B." Relative accuracy evaluations shall be conducted using Method 15 of 40 CFR Part 60, Appendix "A."
- C. The Company shall conduct the following stack tests for CCUs no later than December 31, 2003. These stack tests shall require the submission of a "Source Sampling Guidelines

schedule to correct the conditions causing the excess emissions.

- 7. Fuel usage by each CCU, duct burner and boiler on a monthly basis and on a rolling twelve (12) month basis.
- 8. All periods during single train operation when the 24-hour rolling average sulfur content in the syngas exceeds 508 ppmv (dry) and the twelve month rolling average sulfur content in the syngas exceeds 480 ppmv (dry) basis as measured by the TRS analyzer.
- 9. All periods during two train operation when the 24-hour rolling average sulfur content in the syngas exceeds 830 ppmv (dry) as measured by the TRS analyzer.
- 10. All periods when the LSDF sulfur content exceeds 0.05 weight percent.
- 11. CEMS report to include system calibration and audit results, and the actual daily data capture for the period;
- 12. Higher and lower heating values of syngas gas obtained monthly.
- 13. All periods of opacity exceedances.
- D. The Company shall notify the Department in writing prior to making any material changes which cause these units to fall under the authority of Title IV of the Clean Air Act.
- vii. Certification Requirement:
None in addition to those listed in Condition 3(c)(3) of this permit.

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
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equipment. [Reference Regulation No. 8 Sections 2.1 and 2.2, dated 05/09/1985]

and Preliminary Survey Form" which must be found acceptable to the Department at least thirty (30) days prior to the stack emission testing.

1. EPA Reference Method 5/202 for TSP
2. EPA Reference Method 5/202 for PM10, excluding H₂SO₄
3. EPA Reference Method 10 for CO
4. EPA Reference Method 25 A for VOC
5. EPA Reference Method 8 for H₂SO₄
6. A Department approved test to determine emissions of dioxins, furans, formaldehyde and polyaromatic hydrocarbons and any other chemicals of concern identified by the Department during the protocol development. A final protocol shall be submitted to AQM for approval at least thirty (30) days prior to the test date.

v. Recordkeeping: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]

- A. The Company shall maintain all records necessary for determining compliance with this permit in a readily accessible location for five (5) years and shall make these records available to the Department upon written or verbal request.
- B. The following records shall be maintained for a period of five (5) years:
 1. Log of all operating hours of each CCU showing clearly the hours of operation with different fuel types, i.e., hours of operation with syngas and LSDF, and the

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>2. Particulate Emissions:</p> <p>ii. Emission Standards: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <p>A. The Company shall not cause or allow the emission of particulate matter (PM10) in excess of 321 TPY from the CCUs and Boilers 80-1, 80-2 and 80-3, combined (inclusive of 25.6 TPY H₂SO₄ mist from Boilers 80-1 and 80-3 combined and 213.6 TPY from the CCUs) on a rolling twelve (12) month basis.</p> <p>B. Stack test based PM10 emissions excluding H₂SO₄ shall not exceed the following limits:</p> <p>1. 0.0076 lb/mmBtu heat input when firing</p>	<p>amount of each fuel type consumed.</p> <p><u>2.</u> Log of all operating hours of the duct burner of each HRSG showing clearly the hours of operation and the amount of natural gas consumed.</p> <p><u>3.</u> All three (3) hour rolling averages of the H₂S content in syngas as measured by the H₂S analyzer.</p> <p><u>4.</u> All three (3) hour rolling averages of the sulfur content in syngas as measured by the TRS analyzer.</p> <p><u>5.</u> Opacity readings recorded when LSDF is fired in the combustion chambers of the CCUs.</p> <p><u>6.</u> The weight percent sulfur content in LSDF.</p> <p><u>7.</u> CEMS data including calibration log and results of all Cylinder Gas Audits and all Relative Accuracy Test Audits.</p> <p>iii. Compliance Method: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <p>A. Compliance with PM10 Emission Standards shall be demonstrated using stack test based emissions factors and fuel flow rates for the CCUs, duct burners and boilers.</p> <p>B. Compliance with TSP Emission Standards shall be demonstrated using stack test based emissions factors and fuel flow rates for the CCUs, duct burners and boilers.</p> <p>iv. Monitoring/Testing: See "Conditions Applicable to Multiple Pollutants"</p>	<p>vi. Reporting: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>vii. Certification Requirement: None in addition to those listed in Condition 3(c)(3) of this permit.</p>

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>syngas in CCUs without duct burners.</p> <p><u>2.</u> 0.0081 lb/mmBtu when firing syngas in the CCUs and natural gas in the duct burners.</p> <p><u>3.</u> 0.0090 lb/mmBtu when firing LSDF in the CCUs without duct burners.</p> <p><u>4.</u> 0.0093 lb/mmBtu when firing LSDF in the CCUs and natural gas in the duct burners.</p> <p>C. The Company shall not cause or allow the emission of total suspended particulate (TSP) in excess of 92 TPY from the CCUs and Boilers 80-1, 80-2 and 80-3, combined. D. Stack test based TSP emissions shall not exceed the following limits:</p> <p><u>1.</u> 0.0076 lb/mmBtu heat input when firing syngas in CCUs without duct burners.</p> <p><u>2.</u> 0.0081 lb/mmBtu when firing syngas in the CCUs and natural gas in the duct burners.</p> <p><u>3.</u> 0.0090 lb/mmBtu when firing LSDF in the CCUs without duct burners.</p> <p><u>4.</u> 0.0093 lb/mmBtu when firing LSDF in the CCUs and natural gas in the duct burners.</p> <p>E. The Company shall not cause or allow the emission of particulate matter in excess of 0.3 lb/mmBtu, maximum two (2) hour average, from any fuel burning equipment. [Reference Regulation No. 4 Section 2.1, dated 2/1/1981]</p> <p>ii. Operational Limitation: See "Conditions Applicable to Multiple Pollutants" in this Table.</p>	<p>in this Table.</p> <p>v. Recordkeeping: See "Conditions Applicable to Multiple Pollutants" in this Table.</p>	

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>3. Sulfur Dioxide (SO₂):</p> <p>i. Emission Standard: [Reference <i>APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003</i>] The Company shall not cause or allow emission of SO₂ in excess of 3,827 TPY from the CCUs and Boilers 80-1, 80-2 and 80-3, combined.</p> <p>ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.</p>	<p>iii. Compliance Method: [Reference <i>APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003</i>] Compliance with the SO₂ Emission Standard shall be based on Continuous Emissions Monitoring System (CEMS) for the CCUs and Boilers 80-1, 80-2 and 80-3.</p> <p>iv. Monitoring/Testing: [Reference <i>APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003</i>] A. The Company shall operate and maintain SO₂ CEMS for the CCUs and Boilers 80-1, 80-2 and 80-3. B. The CEMS shall conform to Performance Specification 2 in 40 CFR, Part 60, Appendix "B" and the Quality Assurance/Quality Control (QA/QC) procedures for SO₂ CEMS in accordance with 40 CFR Part 60, Appendix "F."</p> <p>v. Recordkeeping: See "Conditions Applicable to Multiple Pollutants" in this Table.</p>	<p>vi. Reporting: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>vii. Certification Requirement: None in addition to those listed in Condition 3(c)(3) of this permit.</p>
<p>4. Nitrogen Oxides (NO_x):</p> <p>i. Emission Standards: [Reference <i>APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003</i>] A. The Company shall not cause or allow the emission of NO_x in excess of 1,261 TPY from the CCUs and Boilers 80-1, 80-2 and 80-3,</p>	<p>iii. Compliance Method: [Reference <i>APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003</i>] A. Compliance with the NO_x Emission Standards shall be based on Continuous Emissions Monitoring System (CEMS) for NO_x and O₂. B. Compliance with the Operational Limitations</p>	<p>vi. Reporting: NO_x authorized account representative of a NO_x Budget source and each NO_x Budget unit at the source shall submit the reports and compliance certifications required under the NO_x Budget Trading Program, including those under Regulation No. 39 Sections 7, 8, and 11.</p>

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>combined on a rolling twelve (12) month basis.</p> <p>B. The Company shall not cause or allow the emission of NO_x in excess of 360 TPY from each CCU on a rolling twelve (12) month basis.</p> <p>C. The NO_x emissions from each CCU shall not exceed the following levels on an hourly basis:</p> <ol style="list-style-type: none"><u>1.</u> 15 ppmvd @ 15% O₂ when CCU burns syngas without duct firing.<u>2.</u> 18 ppmvd @ 15% O₂ when CCU burns syngas with duct firing.<u>3.</u> 42 ppmvd @ 15% O₂ when CCU burns LSDF without duct firing. <p><u>4.</u> 39 ppmvd @ 15% O₂ when CCU burns LSDF with duct firing. D. The NO_x emission rates from the CCUs shall not exceed 390 ppmvd @ 15% O₂ during startups, shutdowns and fuel transfers (syngas to LSDF and LSDF to syngas).</p> <p>E. Except during startup, shutdown and fuel transfers, the Company shall not cause or allow the emission of NO_x in excess of the following based on a one (1) hour average:</p> <ol style="list-style-type: none"><u>1.</u> 42 ppm @ 15% O₂ when combusting gas.<u>2.</u> 88 ppm @ 15% O₂ when combusting LSDF. <p>[Reference Regulation No. 12 Section 3.5, dated 11/24/1993 (NO_x RACT)]</p> <p>F. During the ozone season (May 1 through September 30, of each of the years 2003, 2004 and 2005, the Company shall hold in its compliance account and/or its overdraft account, as of the NO_x allowance transfer deadline of each control period, a quantity of NO_x allowances available for deduction that is</p>	<p>shall be based on Recordkeeping requirements.</p> <p>iv. Monitoring/Testing: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <ol style="list-style-type: none">A. The Company shall operate and maintain NO_x and O₂ CEMS for the CCUs and the boilers.B. The CEMS shall conform to the applicable Performance Specifications in 40 CFR Part 75, Appendix "A" and the Quality Assurance/Quality Control (QA/QC) procedures for NO_x CEMS in accordance with 40 CFR Part 75, Appendix "B." <p>v. Recordkeeping: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <ol style="list-style-type: none">A. The Company shall keep NO_x CEMS data for a period of at least five (5) years.B. The Company shall keep records of all NO_x and CO₂ CEMS operation, calibration, maintenance and annual relative accuracy test audits for at least five (5) years.C. Unless otherwise provided, the owners and operators of the NO_x Budget source and each NO_x Budget unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the permitting authority or the Administrator. 1 The account certificate of representation	<p>vii. Certification Requirement: [Reference: Permit:AQM-003/00016-I dated 05/01/2002 and Regulation No. 39 Section 6(d) dated 12/11/2000]</p> <p>In addition to those listed in Condition 3(c)(3) of this permit, each document submitted to the Department and the Administrator pursuant to this permit shall be signed and certified by the Authorized Account Representative and shall contain the following language:</p> <p><i>"I am authorized to make this submission on behalf of the owners and operators of the NO_x Budget sources or NO_x Budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."</i></p>

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>equal to or greater than the total NO_x emissions from each CCU for that control period. [Reference: Permit:AQM-003/00016-I dated 05/01/2002 and Regulation No. 39 Section 2(a) dated 12/11/00 (NO_x Budget Trading Program)]</p> <p>ii. Operational Limitations: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <p>A. NO_x control shall be achieved by injecting nitrogen gas into the combustion chambers of the CCUs when burning syngas and by steam injection when burning LSDF.</p> <p>B. Except during start ups, shut downs and fuel transfers (syngas to LSDF and LSDF to syngas), the CCUs shall not be operated unless the NO_x control measure described in Operational Limit (A) above is operating properly.</p>	<p>under Regulation No. 39 Section 6 and all documents that demonstrate the truth of the statements in the account certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5 year period until such documents are superseded because of the submission of a new account certificate of representation under Regulation No. 39 Section 6 changing the NO_x authorized account representative.</p> <p><u>2</u> All emissions monitoring information, in accordance with Regulation No. 39 Section 8.</p> <p><u>3</u> Copies of all reports, compliance certifications, and other submissions and all records made or required under the NO_x Budget Trading Program.</p> <p><u>4</u> Copies of all documents used to complete a NO_x Budget permit application and any other submission under the NO_x Budget Trading Program or to demonstrate compliance with the requirements of the NO_x Budget Trading Program.</p> <p><u>5</u> Records demonstrating that any unit exempted under Regulation No. 39 Section 3(b) of this regulation is retired. The owner(s) or operator(s) of that unit bears the burden of proof that the unit is retired.</p>	

[Reference: Permit:AQM-003/00016-I dated 05/01/2002 and Regulation No. 39 Sections 7, 8 and

Condition 3 - Table 1 (Specific Requirements)

Compliance Determination

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<i>11 dated 12/11/00]</i>		
5. Carbon Monoxide (CO): i. Emission Standards: [Reference <i>APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</i> A. The Company shall not cause or allow the emission of CO in excess of 546 TPY from the CCUs and Boilers 80-1, 80-2 and 80-3, combined on a rolling twelve (12) month basis. B. CO emissions on an hourly basis shall not exceed the following limits: 1. 0.051 lb/mmBtu heat input when firing syngas in CCUs without duct burners. 2. 0.069 lb/mmBtu when firing syngas in the CCUs and natural gas in the duct burners. 3. 0.048 lb/mmBtu when firing LSDF in the CCUs without duct burners. 4. 0.067 lb/mmBtu when firing LSDF in the CCUs and natural gas in the duct burners. C. The above lb/mmBtu limits shall not apply during periods of startup, shutdown and fuel transfer (syngas to LSDF and LSDF to syngas). The Company shall follow good air pollution control practices to minimize CO emissions during these periods. ii. Operational Limitations: [Reference <i>APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS)]</i> See "Conditions Applicable to Multiple Pollutants" in this Table.	iii. Compliance Method: [Reference <i>APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</i> Compliance with the CO Emission Standards shall be demonstrated by the following methods: A. CEMS for the CCUs. B. Stack test based emission factor and fuel flow rates for Boilers 80-1, 80-2 and 80-3. This requirement applies to Boiler 80-2 until June 25, 2004. C. CEMS for Boiler 80-2 after June 25, 2004. iv. Monitoring/Testing: [Reference <i>APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</i> A. The Company shall operate and maintain CO CEMS for the CCUs. B. The Company shall operate and maintain CO CEMS for Boiler 80-2 after June 25, 2004. C. The CO CEMS shall be installed and certified by satisfying the applicable Performance Specifications in 40 CFR part 60, Appendix "B." The QA/QC procedures for the CO CEMS shall be established in accordance with the procedures in 40 CFR Part 60 Appendix "F." v. Recordkeeping: See "Conditions Applicable to Multiple Pollutants" in this Table.	vi. Reporting: See "Conditions Applicable to Multiple Pollutants" in this Table. vii. Certification Requirement: None in addition to those listed in Condition 3(c)(3) of this permit.
6. Volatile Organic Compounds (VOC):	iii. Compliance Method: [Reference	vi. Reporting:

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Compliance Determination

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>i. Emission Standards: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <p>A. The Company shall not cause or allow the emission of VOC in excess of 32 TPY from the CCUs and Boilers 80-1, 80-2 and 80-3, combined on a rolling twelve (12) month basis.</p> <p>B. Stack test based VOC emissions shall not exceed the following limits:</p> <ol style="list-style-type: none"><u>1.</u> 0.0011 lb/mmBtu heat input when firing syngas in CCUs without duct burners.<u>2.</u> 0.0048 lb/mmBtu when firing syngas in the CCUs and natural gas in the duct burners.<u>3.</u> 0.0082 lb/mmBtu when firing LSDF in the CCUs without duct burners.<u>4.</u> 0.0108 lb/mmBtu when firing LSDF in the CCUs and natural in the duct burners.	<p>APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <p>Compliance with the VOC Emission Standards shall be demonstrated using stack test based emission factors and fuel flow rates for the CCUs, duct burners and boilers.</p> <p>iv. Monitoring/Testing: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>v. Recordkeeping: See "Conditions Applicable to Multiple Pollutants" in this Table.</p>	<p>See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>vii. Certification: None in addition to those listed in Condition 3(c)(3) of this permit.</p>
<p>ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.</p>		
<p>7. Sulfuric Acid Mist (H₂SO₄):</p> <p>i. Emission Standards: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <p>A. The Company shall not cause or allow the emission of H₂SO₄ in excess of 239 TPY from the CCUs and Boilers 80-1, 80-2 and 80-3, combined on a rolling twelve (12) month basis.</p> <p>B. The Company shall not cause or allow the emission of H₂SO₄ in excess of 1 TPY from Boiler 80-2.</p>	<p>iii. Compliance Method: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]</p> <p>A. Compliance shall be demonstrated using stack test based emission factors and fuel flow rates for the CCUs, duct burners and boilers.</p> <p>B. Compliance for the CCUs shall be demonstrated by applying the stack test based SO₂ to H₂SO₄ conversion factor to the CEMS-monitored SO₂ emissions.</p> <p>C. Compliance for the boilers shall be</p>	<p>vi. Reporting: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>vii. Certification: None in addition to those listed in Condition 3(c)(3) of this permit.</p>

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Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.	demonstrated by applying the stack test based SO ₂ to H ₂ SO ₄ conversion factor to the CEMS-monitored SO ₂ emissions. iv. Monitoring/Testing: See "Conditions Applicable to Multiple Pollutants" in this Table. v. Recordkeeping: See "Conditions Applicable to Multiple Pollutants" in this Table.	
8. Lead (Pb): i. Emission Standard: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003] The Company shall not cause or allow the emission of Pb in excess of 0.075 TPY from the CCUs and Boilers 80-1 and 80-3, combined on a rolling twelve (12) month basis. ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.	iii. Compliance Method: [Reference APC-97/0503-OPERATION (Amendment 2) (LAER)(NSPS), dated 08/06/2003] Compliance with the Pb Emission Standard shall be demonstrated using stack test based emission factors and fuel flow rates for the CCUs and Boilers 80-1 and 80-3. iv. Monitoring/Testing: See "Conditions Applicable to Multiple Pollutants" in this Table. v. Recordkeeping: [Reference Regulation No. 30 Section 6(a)(3)(i)(B), dated 12/11/2000] See "Conditions Applicable to Multiple Pollutants" in this Table.	vi. Reporting: See "Conditions Applicable to Multiple Pollutants" in this Table. vii. Certification: None in addition to those listed in Condition 3(c)(3) of this permit.
9. Visible Emissions: i. Emission Standard: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003]	iii. Compliance Method: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003] Compliance with the visible Emission Standard shall	vi. Reporting: See "Conditions Applicable to Multiple Pollutants" in this Table.

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Compliance Determination

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>The Company shall not cause or allow the emission of visible air contaminants from the CCUs in excess of twenty percent (20%) opacity for an aggregate of more than three (3) minutes in any one (1) hour period, or more than fifteen (15) minutes in any twenty-four (24) hour period.</p> <p>ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>e. Facility-Wide: The following permit conditions are applicable to all emission units listed in Condition No. 1 of this permit and any insignificant activity listed in Regulation No. 30 Appendix A operated by the Company.</p> <p>1. Conditions applicable to Multiple Pollutants:</p> <p>i. Operational Limitations:</p> <p>A. At all times, including periods of startup, shutdown, and malfunction, the owner or operator shall, to the extent practicable,</p>	<p>be based on Monitoring/Testing requirements and on information available to the Department which may include, but is not limited to, monitoring results, opacity and process operating data.</p> <p>iv. Monitoring/Testing: [Reference APC-97/0503-OPERATION (Amendment 2)(LAER)(NSPS), dated 08/06/2003] The opacity of visible emissions shall be verified quarterly by EPA Reference Method No. 9 in accordance with Section 1.5 (c) of Regulation No. 20, whenever No. 2 fuel oil is fired in the combustion chambers of the CCUs. If opacity readings over 20% are recorded at any time, the Department reserves the right to require the Company to conduct more frequent visible emissions observations and may include the requirement to install a COMS.</p> <p>v. Recordkeeping: See "Conditions Applicable to Multiple Pollutants" in this Table.</p> <p>ii. Compliance Method: Compliance shall be based on information available to the Department which may include, but is not limited to, monitoring/testing results, opacity and process operating data.</p>	<p>vii. Certification: None in addition to those listed in Condition 3(c)(3) of this permit.</p> <p>v. Reporting Requirement: None in addition to those listed in Condition 3(c)(2)(ii)(B) of this permit.</p> <p>vi. Certification Requirement:</p>

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Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>maintain and operate the facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.</p> <p>B. All structural and mechanical components of the equipment or process covered by this Permit shall be maintained in proper operating condition.</p>	<p>iii. Monitoring & Testing: None in addition to those listed in Condition 3(b)(1)(ii) of this permit.</p> <p>iv. Recordkeeping: None in addition to those listed in Condition 3(b)(2) of this permit.</p>	<p>None in addition to those listed in Condition 3(c)(3) of this permit.</p>
<p>2. Odor:</p> <p>i. Emission Standard: [Reference APC-97/0504-OPERATION, dated 08/06/2003 and Regulation No. 19 Section 2.1 dated 02/01/1981] Odors from this source shall not be detectable beyond the plant property lines in quantities which cause a condition of air pollution as "air pollution" is defined in Regulation 1 of Delaware's <u>Regulations Governing the Control of Air Pollution</u>. [State Enforceable Only]</p> <p>ii. Operational Limitations: None in addition to those listed in Condition 3(a) of this permit.</p>	<p>iii. Compliance Method: [Reference Regulation No. 30 Section 6(a)(3) dated 12/11/2000] Compliance with the emission standard of this condition shall be demonstrated in accordance with the monitoring/testing and record keeping requirements of this condition and on information available to the Department which may include, but is not limited to, monitoring results and process operating data.</p> <p>iv. Monitoring & Testing: [Reference Regulation No. 19 Section 1.2 dated 2/1/81] Includes but is not limited to scentometer tests, air quality monitoring, and affidavits from affected citizens and investigators.v.Recordkeeping: [Reference Regulation No. 30 Section 6(a)(3)(i)(B) dated 12/11/2000] Records of all monitoring/testing shall be maintained on site.</p>	<p>vi. Reporting Requirement: All records indicating exceedance of the standard in accordance with Condition 3(c)(2) of this permit</p> <p>vii. Certification Requirement: None in addition to those listed in Condition 3(c)(3) of this permit.</p>
<p>3. Visible Emissions:</p> <p>i. Emission Standard: [Reference Regulation No. 14 Section 2.1 dated 07/17/1984]</p>	<p>iii. Compliance Method: [Reference Regulation No. 14 Section 2.1 dated 07/17/1984 and Regulation No. 30 Section 6(a)(3) dated 12/11/2000]</p>	<p>vi. Reporting: All records indicating exceedances of the standard in accordance with Condition 3(c)(2) of this permit.</p>

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>The Company shall not cause or allow the emission of visible air contaminants and/or smoke from a stationary or mobile source, the shade or appearance of which is greater than twenty (20%) percent opacity for an aggregate of more than three (3) minutes in any one (1) hour or more than fifteen (15) minutes in any twenty-four (24) hour period.</p> <p>ii. Operational Limitations: See "Conditions Applicable to Multiple Pollutants" in this Table.</p>	<p>Compliance with the visible Emission Standard of this condition shall be demonstrated in accordance with Subsection 1.5(c) of Regulation No. 20 and the record keeping requirements of this condition.</p> <p>iv. Monitoring/Testing:</p> <p>A. In accordance with Regulation No. 20 Section 1.5, conduct visual observations at fifteen second intervals for a period of not less than one hour except that the observations may be discontinued whenever a violation of the standard is recorded. The additional procedures, qualification and testing to be used for visually determining the opacity shall be those specified in Section 2 and 3 (except for Section 2.5 and the second sentence of Section 2.4) of reference Method 9 set forth in Appendix A, 40 CFR Part 60 revised July 1, 1982. [Reference Regulation No. 20 Section 1.5(c) dated 12/07/88]</p> <p>B. For sources not subject to a specific visible emissions requirement, the Company shall conduct weekly qualitative plant-wide stack observations to determine the presence of any visible emissions.</p> <p>1. If visible emissions are observed, the Company shall take corrective actions and/or determine compliance by conducting a visible observation in accordance with Paragraph (A) above.</p> <p>2. If no visible emissions are observed or are within permitted limits, no further action is required.</p>	<p>vii. Certification: None in addition to those listed in Condition 3(c)(3) of this permit.</p>

Condition 3 - Table 1 (Specific Requirements)

Emission Limitation(s)/Standard(s)	Compliance Determination	Reporting/Compliance Certification
and/or Operational Limitation(s)/Standard(s)	Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	
	<p data-bbox="890 557 1367 607"><i>[Reference Regulation No. 30 Section 6(a)(3) dated 12/11/2000]</i></p> <p data-bbox="793 638 1379 719">v. Recordkeeping: <i>[Reference Regulation No. 30 Section 6(a)(3)(i)(B) dated 12/11/2000]</i> Observation records shall be maintained on site.</p>	

Condition 4. Operational Flexibility

- a. In addition to the operational flexibility specifically provided in the terms and conditions detailed in Condition 3 - Table 1 of this permit, the Company is authorized to make any change within the facility which contravenes the terms and conditions of this permit without a permit revision if the change:
 1. Is not a modification or otherwise prohibited under any provision of Title I of the Act or the State Implementation Plan (SIP); and [Reference Regulation No. 30 Section 6(h), dated 12/11/2000].
 2. Does not involve a change in any compliance schedule date; and [Reference Regulation No. 30 Section 6(h), dated 12/11/2000]
 3. Does not result in a level of emissions exceeding the emissions allowable under this permit, whether expressed herein as a rate of emissions or in terms of total emissions. [Reference Regulation No. 30 Section 6(h), dated 12/11/2000]
- b. Before making a change under the provisions of Condition 4(a) of this permit, the Company shall provide advance written notice to the Department and to the EPA in accordance with Condition 3(c)(2)(iii) of this permit. [Reference Regulation No. 30 Section 6(h)(1), dated 12/11/2000]
- c. The Company shall keep records of any change made under Condition 4 of this permit in accordance with Condition 3(b)(2)(iv) of this permit. [Reference Regulation No. 30 Section 6(h)(1), dated 12/11/2000]

Condition 5. Compliance Schedule

This permit does not contain a compliance schedule. [Reference Regulation No. 30, Section (6)(c)(3), dated 12/11/2000]

Condition 6. Permit Shield.

This permit does not provide a permit shield. [Reference Regulation No. 30, Section (6)(f)(3), dated 12/11/2000]